



भारत का राजपत्र

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नई विल्सी, शनिवार, जनवरी ८, १९७७/पौष १८, १८९८
NEW DELHI, SATURDAY, JANUARY 8, 1977/PAUSA 18, 1898

इस भाग में भिन्न पृष्ठ संलग्न ही जाती है जिससे कि यह प्रशंसन संकलन के क्षम में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड ३—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(राजा मंत्रालय को छोड़कर) भारत सरकार ने मंत्रालयों और (संघ राज्यसभा प्रशासनों को छोड़कर)
दोनों प्राधिकारियों द्वारा जारी किये गए सांबित्रिक आदेश और अधिसूचनाएं।

Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) by Central Authorities: (other than the Administrations of Union Territories)

विधि स्थाप और कम्पनी कार्य मंत्रालय

(विधायी विभाग)

(वक्फ अनुभाग)

नई विल्सी, १८ दिसम्बर, १९७६

का० आ० ६३.—केन्द्रीय सरकार, दरगाह खाजा साहब अधिनियम, १९५५ (१९५५ का ३६) की धारा ५ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री मोहम्मद यूसफ खान, उपनाम एलिय कुमार, मुम्बई और श्री औन प्रह्लद कादरी, फूलवाड़ी शरीफ, जिला पटना को जो हनाफी युस्लमान है, दरगाह समिति, अजमेर की उन दो रिक्तियों में, जो समिति को सवस्यता में हुई हैं, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से, उस दरगाह समिति के सदस्य के रूप में नियुक्त करती है।

[का० सं० ११(३)/७५-वक्फ]

हसनुद्दीन प्रह्लद, उप सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Legislative Department)
(Wakf Section)

New Delhi, the 18th December, 1976

S.O. 63.—In exercise of the powers conferred by section 5 of the Durgah Khawaja Saheb Act, 1955 (36 of 1955), the

Central Government hereby appoints with effect from the date of publication of this notification in the Official Gazette, Shri Mohd. Yousuf Khan, alias Daleep Kumar, Bombay and Shri Aun Ahmed Qadri, Phulwari Shareef, District Patna, who are Hanafi Muslims, as members of the Durgah Committee, Ajmer, in the two vacancies which have arisen in the membership of the Committee.

[F. No. 11(3)/75-Wakf]
HASANUDDIN AHMED, Dy. Secy.

प्रधा मंत्रालय

नई विल्सी, २१ दिसम्बर, १९७६

का० आ० ६४.—राष्ट्रपति संविधान के प्रनुच्छेद २३९ के अनुष्ठान (१) के अनुसरण में निर्देश देते हैं कि संघ राज्य धेन गोवा, दमण और वीथ के प्रशासक राष्ट्रपति के नियंत्रण के अधीन रहते हुए और आगे आदेश देने तक उस संघ राज्य धेन के भीतर सरकारी स्थान (अप्राधिकृत अधिसूचनाओं को बेवक्फी) अधिनियम, १९७१ (१९७१ का ४०) की धारा ३ के अधीन केन्द्रीय सरकार की शक्तियों का प्रयोग और कृत्यों का पालन भी करें।

[सं० य०-११०३०/५/७६-य०टी०६०]
हरीष चन्द्र बड़शी, प्रबन्ध सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 21st December, 1976

S.O. 64.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administrator of the Union territory of Goa, Daman and Diu shall, subject to the control of the President and until further orders, also exercise the powers and discharge the functions of the Central Government under section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), in that Union territory.

[No. U-11030/5/76-UTL]
H. C. BAKHSHI, Under Secy.

विस्त भवान्य
(राजस्व और बैंकिंग विभाग)
(राजस्व पक्ष)
नई दिल्ली, 15 नवम्बर, 1976
(प्राय कर)

का० आ० 65.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 80४ की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री दिग्मन्दर जैन बरहा मंदिर, लदनन (राजस्थान) को उक्त धारा के प्रयोजनों के लिए राजस्थान राज्य में सर्वत्र विषयात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1536/फा० सं० 176/60/76 प्राई०टी० (ए० प्राई०)]

MINISTRY OF FINANCE
(Department of Revenue & Banking)
(Revenue Wing)

New Delhi, the 15th November, 1976

(INCOME-TAX)

S.O. 65.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Shree Digambar Jain Barha Mandir, Ladnun (Rajasthan) to be a place of public worship of renown throughout the State of Rajasthan for the purposes of the said section.

[No. 1556/F. No. 176/60/76-IT(AI)]

नई दिल्ली, 18 नवम्बर, 1976

का० आ० 66.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 80४ की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री शोलावन्दन अरुलमिगु जनग नारायण पेरुमल मंदिर, शोलावन्दन मदुराई जिला को उक्त धारा के प्रयोजनों के लिए तमिल नाडु राज्य में सर्वत्र विषयात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1557/फा० सं० 176/98/76 प्राई०टी० (ए० प्राई०)]

New Delhi, the 18th November, 1976

S.O. 66.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Sholavandan Arulmigu Janaga Narayana Perumal Temple, Sholavandan, Madurai District to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 1557/F. No. 176/98/76-IT(AI)]

का० आ० 67.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 80४ की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री स्वामीनाथस्वामी वेस्थानम स्वामीमलाई, कुन्दकोत्तम तालुक को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य में सर्वत्र विषयात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1558/फा० सं० 176/99/76 प्राई०टी० (ए० प्राई०)]

S.O. 67.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Sri Swaminathaswamy Devasthanam, Swamimalai, Kumbakonam Taluk to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 1558/F. No. 176/99/76-IT(AI)]

नई दिल्ली, 27 नवम्बर, 1976

का० आ० 68.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 80४ की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बप्पनाड श्री दुर्गापरमेश्वरी मंदिर, मुल्की (एस० के०) को उक्त धारा के प्रयोजनों के लिए कनाटक राज्य में सर्वत्र विषयात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1565/फा० सं० 176/94/76 प्राई०टी० (ए० प्राई०)]

New Delhi, the 27th November, 1976

S.O. 68.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Bappanad Shri Durgaparameswari Temple, Mulki (S. K.) to be a place of public worship of renown throughout the State of Karnataka for the purposes of the said section.

[No. 1565/F. No. 176/94/76-IT(AI)]

का० आ० 69.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 80४ की उपधारा 2(ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री अरुलमिथू श्रीनिवासन पेरुमल मंदिर, मलयादिवरम्, हिन्दीगुल मदुराई जिला को उक्त धारा के प्रयोजनों के लिए तमिल नाडु राज्य में सर्वत्र विषयात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1566/फा० सं० 176/102/76 प्राई०टी० (ए० प्राई०)]

एम० शास्त्री, प्रबन्ध सचिव

S.O. 69.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Arulmigu Srinivasan Perumal Temple, Malayadivaram, Dindigul, Madurai Distt. to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 1566/F. No. 176/102/76-IT(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 24 नवम्बर, 1976

का० आ० 70 —सर्वेसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने सरदार पटेल विश्वविद्यालय, बलून विद्यानगर, गुजरात की आयनकर प्रधिनियम, 1961 की धारा 35 की उपधारा (1) छाण्ड (II) के प्रयोजनों के लिए निम्नलिखित मात्रों पर प्रत्युमेदित किया है, अर्थात् —

- (1) यह कि उक्त विश्वविद्यालय वैज्ञानिक प्रत्युमेधान के लिए प्राप्त शक्तियों का हिसाब पृथक में रखेगा।
- (ii) उक्त विश्वविद्यालय प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक प्रत्युमेधान सम्बन्धी क्रिया कलापों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकारित किए जाएं और उसे सूचित किए जाएं।

सत्या

सरदार पटेल विश्वविद्यालय बलून विद्यानगर (गुजरात)।

यह अधिसूचना 15-6-1976 से प्रभावी होगी।

[स० 1561 /फा० स० 203/78/76 आई०टी० ए० II]
टी० पी० मुनमुनवाला, निवेशक

New Delhi, the 24th November, 1976

S.O. 70.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions —

- (i) that the Sardar Patel University, Vallabh Vidyanagar, Gujarat will maintain a separate account of the sums received by it for scientific research
- (ii) That the said University will furnish the annual return of its scientific research activities to the prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year.

INSTITUTION

SARDAR PATEL UNIVERSITY, Vallabh Vidyanagar (Gujarat)

This notification takes effect from 15-6-1976

[No 1561/F No 203/78/76-ITA II]
T P JHUNJHUNWALA, Director

(वैकिंग पत्र)

नई दिल्ली, 20 दिसम्बर, 1976

का० आ० 71 —प्रादेशिक ग्रामीण बैंक प्रधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री बी० झी० नारंग को रीकांसिधी ग्रामीण बैंक का प्रब्लेम करती है तथा 20 दिसम्बर, 1976

से भारतीय होकर 30 जून, 1977 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसमें उक्त श्री बी० झी० नारंग प्रब्लेम के रूप में कार्य करेंगे।

[स० एफ० 4-139/76-ए० सी०]

(Banking Wing)

New Delhi, the 20th December, 1976

S.O. 71.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri B D Narang as the Chairman of the Rewa-Sidhi Gramin Bank, Rewa and specifies the period commencing on the 20th December, 1976 and ending with the 30th June, 1977 as the period for which the said Shri B D Narang shall hold office as such Chairman

[No. F. 4-139/76-AC]

नई दिल्ली, 21 दिसम्बर, 1976

का० आ० 72 —प्रादेशिक ग्रामीण बैंक प्रधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री मानबेन्द्र सेन को नियुक्त ग्रामीण बैंक अगरतला का अध्यक्ष नियुक्त करती है तथा 21 दिसम्बर, 1976 से भारतीय होकर 30 जून, 1977 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसमें उक्त श्री मानबेन्द्र सेन, अध्यक्ष के रूप में कार्य करेंगे।

[स० एफ० 4-84/75 ए० सी०]

New Delhi, the 21st December, 1976

S.O. 72.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Manabendra Sen as the Chairman of the Tripura Gramin Bank, Agartala and specifies the period commencing on the 21st December, 1976 and ending with the 30th June, 1977 as the period for which the said Shri Manabendra Sen shall hold office as such Chairman.

[No. F. 4-84/75-AC]

नई दिल्ली, 23 दिसम्बर, 1976

का० आ० 73 —प्रादेशिक ग्रामीण बैंक प्रधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री के० एन० शुक्ल को कोसी क्षेत्रीय ग्रामीण बैंक, पूर्णिया का अध्यक्ष नियुक्त करती है तथा 23 दिसम्बर, 1976 से भारतीय होकर 30 जून, 1977 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसमें उक्त श्री के० एन० शुक्ल अध्यक्ष के रूप में कार्य करेंगे।

[स० एफ० 4-85/76 ए० सी०]

New Delhi, the 23rd December, 1976

S.O. 73.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri K N. Sukla as the Chairman of the Kosi Kshetriya Gramin Bank, Purnea and specifies the period commencing on the 23rd December, 1976 and ending with the 30th June, 1977 as the period for which the said Shri K N. Shukla shall hold office as such Chairman.

[No. F. 4-85/76-AC]

का०आ० 74 —प्रावेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री के० एस० राजपूत को हिमाचल ग्रामीण बैंक, मड़ी का प्रब्लेम नियुक्त करती है तथा 23 दिसम्बर, 1976 से आरम्भ होकर 30 जून, 1977 को समाप्त होने वाली अवधि को उस प्रबंधित के रूप में निर्धारित करती है जिसमें उक्त श्री के०एस० राजपूत प्रब्लेम के रूप में कार्य करें।

[स० एफ० 4-136/76-ए०सी०]

S.O. 74.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri K S Rajput as the Chairman of the Himachal Gramin Bank, Mandi and specifies the period commencing on the 23rd December, 1976 and ending with 30th June, 1977 as the period for which the said Shri K S Rajput shall hold office as such Chairman

[No F 4-136/76-AC]

नई दिल्ली, 25 दिसम्बर, 1976

का०आ० 75 —प्रावेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री डी० आर० कशुरिया को बलिया लोकीय ग्रामीण बैंक, बलिया का प्रब्लेम नियुक्त करती है तथा 25 दिसम्बर, 1976 से आरम्भ होकर 30 जून 1977 को समाप्त होने वाली अवधि को उस प्रबंधित के रूप में निर्धारित करती है जिसमें उक्त कशुरिया प्रब्लेम के रूप में कार्य करेंगे।

[स० एफ० 4-89/76-ए०सी०]

बी० एम० बहादुर, उपसचिव

New Delhi, the 25th December, 1976

S.O. 75.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri D R Kathuria as the Chairman of the Ballia Kishetriya Gramin Bank, Ballia and specifies the period commencing on the 25th December, 1976 and ending with the 30th June, 1977 as the period for which the said Shri D R Kathuria shall hold office as such Chairman.

[No F. 4-89/76-AC]
V N BAHADUR, Dy Secy.

प्रावेश

नई दिल्ली, 21 दिसम्बर, 1976

का०आ० 76,—भारत सरकार के अपर सचिव ने, जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से संशोधन किया गया है, उक्त अधिनियम की धारा 3(1) के अधीन ग्रामेश एफ० ए० 673/52/76-सी० गु०-VIII, तारीख 11-11-1976 को जारी किया था जिसमें निवेश किया था कि श्री प्रकाश चन्द्र कसलीदाल उर्फ़ पी०सी० कसलीदाल, बी०-6(सी), पूर्णीराज राड, जयपुर को विवेशी मुद्रा के संबंधन के प्रतिकूल किसी भी रीति से कार्य करने से निवारित करने की दृष्टि से, केन्द्रीय कारागार, जयपुर में निरुद्ध किया जाए और अभिरक्षा में रखा जाए, और

2 केन्द्रीय सरकार को यह विष्वास करने का कारण है कि उपरोक्त अधिनियम, इस उद्देश्य से कि प्रावेश का निष्पादन न हो सके, फरार हो गया है या स्वयं को छिपाए हुए है।

3 अत केन्द्रीय सरकार, विवेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 की धारा 7(1) (ख) के अधीन शक्तियों का प्रयोग करते हुए उपरोक्त व्यक्ति को निदेश करती है कि वह पुलिस महा-निरीक्षक, गजस्थान, जयपुर के समक्ष इस ग्रामेश के राजपत्र में प्रकाशन के सात दिन के भीतर हासिर हो।

[स० 673/52/76-सी० गु०-VIII]

ORDFR

New Delhi the 21st December, 1976

S.O. 76.—Whereas Additional Secretary to the Government of India, specially empowered under sub section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 issued order F. No. 673/52/76 Cus VIII dated the 11th November, 1976 under section 3(1) ibid directing that Shri Prakash Chand Kashlival @ P C Kashlival, B 6(c) Prithviraj Road, Jaipur be detained and kept in custody in the Central Jail, Jaipur with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange, and

2 Whereas the Central Government has reason to believe that the aforesaid person has absconded or is concealing publication of this order in official gazette

3 The Central Government in exercise of powers under section 7(1) (b) of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 hereby direct the aforesaid person to appear before the Inspector General of Police, Rajasthan, Jaipur within 7 days of the publication of this order in official gazette

[F No 673/52/76 Cus VIII]

प्रावेश

का० आ० 77 —केन्द्रीय सरकार ने विवेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 की धारा 3(1) के अधीन एक ग्रामेश एफ स० 673/56/76-सी० गु०-VIII तारीख 11 सप्तम्बर, 1976, जारी किया था जिसमें श्री परवर सिंह, सुपुत्र श्री लखा सिंह, निवासी ग्राम बेष्टियार, पुलिस स्टेशन महिलापुर, जिला होशियारपुर (बैकल्पिक पते (1) ग्राम बड़ाला, पुलिस स्टेशन सदर, जिला जलधर, (2) मार्कत सर्व श्री गुरदेव सिंह परवर सिंह, भनाज मंडी, फगवाड़ा, जिला कपूरथला), को विवेशी मुद्रा के संबंधन के प्रतिकूल किसी भी रीति से कार्य करने से निवारित करने की दृष्टि से विवारित करने की दृष्टि से, केन्द्रीय कारागार, जयपुर में निरुद्ध किया जाए और अभिरक्षा में रखा जाए, और

2 केन्द्रीय सरकार को यह विष्वास करने का कारण है कि उपरोक्त अधिनियम, इस उद्देश्य से कि प्रावेश का निष्पादन न हो सके, फरार हो गया है या स्वयं को छिपाए हुए है,

3 अत केन्द्रीय सरकार, विवेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 की धारा 7(1) (ख) के अधीन शक्तियों का प्रयोग करते हुए उपरोक्त व्यक्ति को निदेश करती है कि वह पुलिस महा-निरीक्षक, पजाब, चट्ठोगढ़ के समक्ष इस ग्रामेश के राजपत्र में प्रकाशन के सात दिन के भीतर हासिर हो।

[स० 673/56/76-सी० गु०-VIII]

जे० रामाङ्गन, उप-सचिव

ORDER

S.O. 77.—Whereas the Central Government issued order F. No. 673/56/76-Cus. VIII dated the 11th November, 1976, under Sub-Section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, directing that Shri Pakhar Singh S/o Shri Lakha Singh R/o V. Bebalpur, P.S. Mahipalpur Distt. Hoshiarpur (alternate addresses (1) Village Wadala P. S. Sadar Distt. Jullundur; (2) C/o M/s Gurdev Singh Pakhar Singh, Anaj Mandi, Phagwara, Distt. Kapurthala) be detained and kept in custody in the Central Prison Patiala, with a

view to preventing him from acting in any manner prejudicial to the augmentation of Foreign Exchange; and

2. Whereas the Central Government has reason to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. The Central Government in exercise of powers under Section 7(1)(b) of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, hereby direct the aforesaid person to appear before the Inspector General of Police Punjab, Chandigarh, within seven days of the publication of this order in the official Gazette.

[F. No. 673/56/76-Cus.VIII]

J. RAMAKRISHNAN, Dy. Secy.

भारतीय रिजर्व बैंक

RESERVE BANK OF INDIA

नई दिल्ली, 22 दिसम्बर, 1976

New Delhi, the 22nd December, 1976

कांस्टॉल 78.—भारतीय रिजर्व बैंक अधिनियम, 1934 के अनुमरण में विसम्बर 1976 के दिनांक 10 को समाप्त हुए सप्ताह के लिए अंका

S.O. 78.—An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934 for the week ended the 10th day of December, 1976

इण् विभाग

ISSUE DEPARTMENT

देयताएँ	रुपये	रुपये	आस्तियाँ	रुपये	रुपये
LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
बैंकिंग विभाग में रखे हुए नोट Notes held in the Banking Department	7,77,98,000		सोने का सिक्का और बुलियन :— Gold Coin and Bullion :—		
संचलन में नोट Notes in circulation	7361,31,27,000		(क) भारत में रखा हुआ (a) Held in India	182,52,45,000	
			(ख) भारत के बाहर रखा हुआ (b) Held outside India		
जारी किये गये कुल नोट Total notes issued	7369,09,25,000				
			विदेशी प्रतिभूतिया Foreign Securities	921,73,97,000	
			जोड़ Total	1104,26,42,000	
			रुपये का सिक्का Rupee Coin	14,39,51,000	
			भारत सरकार की रुपया प्रतिभूतिया Government of India Rupee Securities	6250,43,32,000	
			देणी विनियम विल और दूसरे आणिज्य-पत्र Internal Bills of Exchange and other commercial paper		
कुल देयताएँ Total Liabilities	7369,09,25,000		कुल आस्तियाँ Total Assets	7369,09,25,000	

दिनांक : 15 दिसम्बर, 1976

Dated the 15th day of December, 1976

के० प्रार० पुरी, गवर्नर
K.R. PURI, Governor

10th दिसम्बर, 1976 को भारतीय रिजर्व बैंक के बैंकिंग विभाग के कार्यकलाप का विवरण
Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 10th December, 1976

वेतनाएँ LIABILITIES	रुपये Rs.	आस्तियाँ ASSETS	रुपये Rs.
भूकृत पूँजी Capital Paid up	5,00,00,000	नोट Notes	7,77,98,000
आरक्षित निधि Reserve Fund	150,00,00,000	रुपये का सिक्का Rupco Coin	5,22,000
राष्ट्रीय कृषि ऋण (वीर्धकालीन प्रबर्तन) निधि National Agricultural Credit (Long Term Operations) Fund	400,00,00,000	छोटा सिक्का Small Coin Bills Purchased and Discounted :— खरीदे और भुनाये गये बिल (क) नेशनल (a) Internal (ख) विदेशी (b) External	3,29,000 153,87,59,000
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि National Agricultural Credit (Stabilisation) Fund	145,00,00,000	(ग) सरकारी खजापा बिल (c) Government Treasury Bills विवेश में रखा हुआ बकाया	222,57,22,000
National Industrial Credit (Long Term Operations) Fund	540,00,00,000	Balances Held Abroad	1292,55,12,000
जमा राशियाँ :— Deposits :—		निवेश Investments	229,19,29,000
(क) सरकारी (a) Government		ऋण और अधिम :— Loans and Advances to :—	
(1) केन्द्रीय सरकार (i) Central Government	61,72,71,000	(1) केन्द्रीय सरकार को (i) Central Government
(2) राज्य सरकारें (ii) State Governments	13,33,68,000	(2) राज्य सरकारों को (ii) State Governments	80,39,39,000
(ख) बैंक (b) Banks		ऋण और अधिम :— Loans and Advances to :—	
(1) प्रनुसूचित वाणिज्य बैंक (i) Scheduled Commercial Banks	960,88,25,000	(1) प्रनुसूचित वाणिज्य बैंकों को (i) Scheduled Commercial Banks	847,86,63,000
(2) प्रनुसूचित राज्य सहकारी बैंक (ii) Scheduled State Co-operative Banks	22,82,94,000	(2) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	333,47,13,000
(3) गैर प्रनुसूचित राज्य सहकारी बैंक (iii) Non-Scheduled State Co-operative Banks	1,92,15,000	(3) दूसरों को (iii) Others	4,68,00,000
(4) अन्य बैंक (iv) Other Banks	73,76,000	राष्ट्रीय कृषि ऋण (वीर्धकालीन प्रबर्तन) निधि से ऋण, अधिम और निवेश	
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(क) ऋण और अधिम :— (a) Loans and Advances to :—			
(1) राज्य सरकारों को (i) State Governments	75,50,16,000		
(2) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	12,48,26,000		
(3) केन्द्रीय भूमिकृषक बैंकों को (iii) Central Land Mortgage Banks		
(4) कृषि पुनर्वित और विकास निगम को (iv) Agricultural Refinance & Development Corporation	136,90,00,000		
(ग) अन्य (c) Others	1892,12,42,000	(ख) केन्द्रीय भूमिकृषक बैंकों के छिक्कों में निवेश (b) Investment in Central Land Mort- gage Bank Debentures	9,04,16,000

देयताएँ LIABILITIES	रुपये Rs.	आस्तियाँ ASSETS	रुपये Rs.
देय विल		राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और प्रग्राम	
Bills Payable	87,74,54,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
अन्य देयताएँ		राज्य सहकारी बैंकों को ऋण और प्रग्राम	
Other Liabilities	655,61,16,000	Loans and Advances to State Co-operative Banks	85,67,05,000
		राष्ट्रीय शीर्षकांगक ऋण (शीर्षकालीन प्रबर्तन)	
		निधि से ऋण, प्रग्राम और निवेश	
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund.	
(क) विकास बैंक को ऋण और प्रग्राम		(क) विकास बैंक को ऋण और प्रग्राम	
(a) Loans and Advances to the Development Bank	475,65,76,000	(a) Loans and Advances to the Development Bank	
(ब) विकास बैंक द्वारा जारी किये गये बोंड्स/ डिबेंचरों में निवेश		(b) Investment in bonds/debentures issued by the Development Bank	
		मन्य आस्तियाँ	
		Other Assets	969,19,36,000
रुपये Rupees	4936,91,61,000	रुपये Rupees	4936,91,61,000

दिनांक : 15 दिसम्बर, 1976

Dated the 15th day of December, 1976.

के० मा० पुरी, गवर्नर

K. R. PURI, Governor

[No. F. 10/1/76 B.O.I.]

च० व० मीरचंदानी, अवर सचिव
C. W. MIRCHANDANI, Under Secy.

(व्यय विभाग)

नई विल्सी, 15 दिसम्बर, 1976

शुद्धिपत्र

का० आ० 79.—भारत के राजपत्र भाग 2, खण्ड 3, उपखण्ड (2) तारीख 1 नवम्बर, 1975 के पृष्ठ 3819 और 3820 पर भक्षणित भारत सरकार के विस मंत्रालय (व्यय विभाग) की भ्रातृसूचना संबध सांख्या 4676 तारीख 8 नवम्बर, 1975 में पृष्ठ 3819 पर, नियम 1 के उपनियम (2) में “जून, 1967 के 16वें दिन” के स्थान पर “जून, 1972 के प्रथम दिन” पढ़ें।

[स० फा० 4(1)-संस्पा 5 (ख)/73]

(Department of Expenditure)

New Delhi, the 15th December, 1976

CORRIGENDUM

S.O. 79.—In the notification of the Government of India in the Ministry of Finance (Department of Expenditure) No. S.O. 4676 dated the 8th October, 1975, published on pages 3819 and 3820 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 1st November, 1975, at pages 3819 in sub-rule (2) of rule 1, for “the 16th day of June, 1967”, read “the 1st day of June, 1972”.

[No. F. 4(1)-EV(B)/73]

नई विल्सी, 17 दिसम्बर, 1976

का० आ० 80.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परस्तुक और अनुच्छेद 148 के खण्ड (5) द्वारा प्रबत्त शक्तियों का प्रयोग करते हुए तथा भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों की वाक्त निरीक्षक और महालेखा परीक्षक से परामर्श करने के पश्चात् साधारण भविष्य निधि नियम (केन्द्रीय सेवाएँ) 1960 में और संशोधन करने के लिए निम्नलिखित नियम बनाने हैं, अर्यात्:—

1. (1) इन नियमों का नाम साधारण भविष्य निधि (केन्द्रीय सेवाएँ) भारतवासी संशोधन नियम, 1976 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

2 साधारण भविष्य निधि नियम (केन्द्रीय सेवाएँ) 1960 में नियम 11 के उपनियम (4) के नीचे टिप्पण में ‘अभिवायकता’ शब्द के पश्चात् “या वह व्यक्ति जिसे ऐसे संवाद किया जाना था” शब्द घंतस्थापित किए जाएंगे।

[स० फा० 16(4)-ई 5(ख)/76 जी०पी०एफ०]

New Delhi, the 17th December, 1976

S.O. 80.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department hereby

makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:—

1. (1) These rules may be called the General Provident Fund (Central Services) Eleventh Amendment Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the General Provident Fund (Central Services) Rules, 1960, in the Note below sub-rule (4) of rule 11, after the word "subscriber" the words "or the person to whom such payment was to be made" shall be inserted.

[No. F. 16(4)-EV(B)/76-G.P.F.]

का०आ० 81.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तु और अनुच्छेद 148 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों की बावत नियमित और महालेखा परीक्षक से परामर्श करने के पश्चात् अधिदायी भविष्य नियम (भारत) 1962 में और संशोधन करते के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) इन नियमों का नाम अधिदायी भविष्य नियम (भारत) आठवाँ संशोधन नियम, 1976 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2 अधिदायी भविष्य नियम (भारत) 1962 में नियम 12 के उपनियम (4) के नीचे टिप्पण में 'अधिदायकर्ता' शब्द के पश्चात् 'या वह व्यक्ति जिसे देसा संदाय किया जाना था' शब्द अंतःस्थापित किए जाएंगे।

[सं० का० 16(4)-ई५ (क)/76 सी०पी०एफ०]

एस० एस० एल० मल्होत्रा, अध्यक्ष संविध

S.O. 81.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1(1) These rules may be called the Contributory Provident Fund (India) Eighth Amendment Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Contributory Provident Fund Rules (India), 1962, in the Note below sub-rule (4) of rule 12, after the word "subscriber" the words "or the person to whom such payment was to be made" shall be inserted.

[No. F. 16(4)-EV(B)/76-C.P.F.]

S. S. L. MALHOTRA, Under Secy.

नई दिल्ली, 23 दिसम्बर, 1976

का०आ० 82.—सरकारी स्थान (प्राप्तिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तरम् (1) में वर्णित अधिकारियों को, जो सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोगनों के लिए, सम्पदा अधिकारी नियुक्त करती है,

जो उक्त सारणी के स्तरम् (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके प्रधीन सम्पदा अधिकारियों को प्रदत्त मस्तिष्यों का प्रयोग और अधिकारित करने का पालन करेंगे।

मारणी

अधिकारी का पक्ष नाम	सरकारी स्थानों के प्रबंग और अधिकारिता की स्थानीय सीमाएं
उपेष्ठ उप महालेखा कार और महालेखा कार (प्रशासन) कायालिय महालेखा कार महाराष्ट्र-II, नागपुर	महाराष्ट्राकार, महाराष्ट्र, नागपुर के प्रशासनिक नियंत्रण के प्रधीन सरकारी स्थान, जो महालेखा कार मध्य प्रदेश, केन्द्रीय सरकार आवास नागपुर के कटोल रोड कालीनी में स्थित है।

[संख्या ए-11013/1/76-ई०जी० II]
एस० के० दाम, अवर सचिव

New Delhi, the 23rd December, 1976

S.O. 82.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being gazetted officers of Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction
Senior Deputy Accountant General and Deputy Accountant General (Administration) office of the Accountant General, Maharashtra-II, Nagpur	Public premises under the administrative control of the Accountant General, Maharashtra-II, Nagpur which are situated in Accountant General, Madhya Pradesh, Katol Road Colony of Central Government Residences, Nagpur.

[No.A-11013/1/76-E.G.I]
S. K. DAS, Under Secy.

केन्द्रीय प्रस्तवा कर और्ड

नई दिल्ली, 27 अक्टूबर, 1976

ग्रामकर

का०आ० 83.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नवर्णित संस्था को, हंजीमियरी परामर्श कार्य के क्षेत्र में आयकर अधिनियम, 1961 की धारा 35अ के उपचारा (2) के खण्ड (क) के प्रयोगनार्थ मनुस्मीति किया गया है।

संस्था

एष्टास्ट्रियल कल्नलिंग ब्यूरो प्राइवेट लिमिटेड, सुम्हर्ड।
यह अमूमोक्षन 27-2-76 से प्रभावी है।

[संख्या 1539/का०सं० 203/37/76-आई० टी० ए० II]
टी० पी० सुनसुनवाला, सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 27th October, 1976

INCOME TAX

S.O. 83.—It is notified for general information that the institution mentioned below has been approved by the Central Board of Direct Taxes for the purposes of clause (a) of sub section (2) of Section 35D of the Income-tax Act, 1961 in the field of Engineering Consultancy.

INSTITUTION

Industrial Consulting Bureau Private Limited,
Bombay.

This approval takes effect from 27-2-1976.

[No. 1539/F. No. 203/37/76-ITAI]

T. P. JHUNJHUNWALA, Secy.

RESERVE BANK OF INDIA

CENTRAL OFFICE, BOMBAY NO. 1

(Department of Accounts and Expenditure)

Bombay, the 18th December, 1976

CORRIGENDUM

S.O. 84.—In the statement of Affairs of the Reserve Bank of India Banking Department for the week ended 15th October 1976, published in Part II Section 3(ii) of the Gazette of India dated 27th November 1976. The following corrigendum may be noted on page 4080 the figures Rs. 54,49,000 under the head Rupee Coin may be read as Rs. 5,49,000/-.

[Reference Gen. No. 409/4-76/77]

Sd. Illegible
P. Chief Accountant.

बाणिज्य मंत्रालय

(कैसटाइल विभाग)

आवेदन

मई दिल्ली, तारीख 22 दिसम्बर, 1976

का०आ० 85.—केन्द्रीय सरकार, प्रावधानक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रवत् शक्तियों का प्रयोग करने हुए, कपास नियंत्रण आवेदन, 1955 में और संशोधन करने के लिए, निम्नलिखित आदेश देती है, मर्यादा :—

1. (1) इस आदेश का नाम कपास नियंत्रण (तृतीय संशोधन) आदेश, 1976 है।

(2) यह राजपत्र में प्रकाशन की सारीख को प्रवृत्त होगा।

2. कपास नियंत्रण आदेश, 1955 के खण्ड 13 के उप-खण्ड (3) में "कपास की उतनी मात्रा खरीदने के लिए जितनी" शब्दों के स्थान पर "कपास की उतनी मात्रा खरीदने के लिए प्रथम प्रोटोने (जिनिंग) के लिए कपास की उतनी मात्रा स्वीकार करने के लिए (जो कि विनियोग के स्थानिकतावादीन न हो) जितनी" शब्द और कोडल रखे जाएंगे।

[फा० सं० 12/12/76-सी० टी० एम०]

जै० कौ० धार्मिक, उप-सचिव

MINISTRY OF COMMERCE

(Department of Textiles)

ORDER

New Delhi, the 22nd December, 1976

S.O. 85.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Cotton Control Order, 1955, namely :—

1. (1) This Order may be called the Cotton Control, (Third Amendment) Order, 1976

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Cotton Control Order, 1955, in sub-clause (3) of clause 13, for the words "to purchase such quantity of kapas as", the words "to purchase such quantity of kapas or to accept for ginning such quantity of kapas (not being owned by that manufacturer) as" shall be substituted.

[F. No. 12/12/76-CTM]

J. K. BAGCHI, Dy. Secy.

मूल्य-नियंत्रक, आवाद नियंत्रण का कार्यालय

आवेदन

मई दिल्ली, 22 दिसम्बर, 1976

का०आ० 86.—ग्रीष्म प्रवाप कणिक मात्राक विक्री कर प्रधिकारी, प्रा०-450, मेट्रो कैलांग को मामान्य मूद्रा भेज के अन्तर्गत एक एन०पी० ३०५४०७२ द्वारा दिया गया 1700.00 रुपये का एक सीमा शुल्क निकासी परमिट मं० पी०/जे 3054072/एन०एन०/६०/एन० ११-४२/ए एन० प्रिन्टिंग 15-७-७६ प्रदान किया गया था। उसने उपर्युक्त सीमा शुल्क निकासी परमिट का अनुलिपि सीमा शुल्क निकासी परमिट जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क निकासी परमिट उनमें खो गया/अस्थानस्थ हो गया है। नाहर्नैसधारी द्वारा आगे यह सूचना थी गई है कि सीमा शुल्क निकासी परमिट किसी भी सीमा शुल्क निकासी परमिट उनको जारी किया जाना चाहिए। मूल सीमा शुल्क निकासी परमिट रद्द किया जाता है। अनुलिपि सीमा शुल्क निकासी परमिट अन्वय में जारी किया जा रहा है।

2. प्रपने तर्क के समर्थन में आवेदक ने एक शापथ-पत्र शाखिल किया है। अधोवृत्ताधारी सत्यृष्ट है कि मूल सीमा शुल्क निकासी परमिट मं० पी०/जे 3054072 प्रिन्टिंग 15-७-७६ अस्थानस्थ हो गया/खो गया है और निवेश देता है कि उपर्युक्त सीमा शुल्क निकासी परमिट उनको जारी किया जाना चाहिए। मूल सीमा शुल्क निकासी परमिट रद्द किया जाता है। अनुलिपि सीमा शुल्क निकासी परमिट अन्वय में जारी किया जा रहा है।

[संख्या 315-4/आर-36/ए एन०-76/ए एन० 1025]

एच० एन० भहल, उप-मूल्य नियंत्रक,

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 22nd December, 1976

S.O. 86.—Shri Ram Partap Kapila, Assistant Sales Tax Officer, S-450, Greater Kailash was granted a C.C.P. No. P/J/3054072/N/MN/60/H/41-42/ALS dated the 15th July, 1976 for Rs. 1,700.00 under G.C.A. for import of one N.P. Bore revolver. He has requested for issue of duplicate C.C.P. of the said C.C.P. on the ground that original C.C.P. has been lost/misplaced by him. It has further been reported by the licensee that the C.C.P. has been misplaced/lost without having been registered with any Custom Authority and that the same has not been utilised at all.

2. In support of his contention, the applicant has filed an affidavit. The undersigned is satisfied that the original C.C.P. No. P/J/3054072 dated 15-7-1976 has been misplaced/lost and directs that duplicate copy of the said C.C.P. should be issued to him. The original C.C.P. is cancelled. Duplicate C.C.P. is being issued separately.

[No. 315-JV/R-36/AM-76/ALS/1025]

H. L. BAHL, Dy. Chief Controller.

(विवेचन व्यापार विभाग)

कार्यालय उपमुख्य नियंत्रक, आयात-नियात

अहमदाबाद, 17 सितम्बर, 1976

रद्द करने का आवेदन

का० आ० 87.—सर्वेशी पान होज, बापुजी भगवानी वाडी, किसान सागर गैट के बाहर, लूनावाड, जिस पंच महल को एसीसिरेटर्स करिंग एजेंट्स एस्टी आक्सी-डेन्ट्स रोटरबर्स ऐपटीसर्स नथा रिक्लेमिंग एजेंट्स हस्तावि का आयात करते के लिए 73,125 रुपये (तिहातर हजार एक सौ पच्चीस रुपए मात्र) के लिए लाइसेंस सं० पी/एस/1837940 और 24,375 रुपये (चौबीस हजार तीन सौ पचहत्तर रुपए मात्र) के लिए लाइसेंस सं० पी/एस/1837941, दिनांक 1-8-75 प्रवान किए गए थे।

2. उन्होंने उक्त लाइसेंसों के लिए सीमांशुल्क प्रयोजन प्रतियों को अनुलिपि प्रतियां जारी करते के लिए इस आधार पर आवेदन किया है कि मूल सीमांशुल्क प्रतियां सीमा शुल्क प्राधिकारी, बम्बई के पास पंजीकृत कराए बिना ही खो गई/प्रस्थानस्थ हो गई हैं।

अपने दावे के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस सं० पी/एस/1837940, दिनांक 1-8-75 तथा पी/एस/1837941, दिनांक 1-8-75 की सीमांशुल्क प्रयोजन प्रतियां खो गई/प्रस्थानस्थ हो गई हैं तथा निदेश देता हूँ कि आवेदक को उक्त लाइसेंस की सीमांशुल्क प्रयोजन प्रतियां जारी की जाएं।

लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रतियां एतद्वारा रद्द की गई समझी जाएं।

[सं० 1663/एस्यू/9253/पी० 35/एम-75/एसएसभाई/एयू/4196]

(Dept. of Foreign Trade)

OFFICE OF THE DY. CHIEF CONTROLLER OF
IMPORTS AND EXPORTS

Ahmedabad, the 17th September, 1976

CANCELLATION ORDER

S.O. 87.—M/s. Pan hose, Bapuji Bhagwanni wadi, outside Krishan Sagar gate, Lunawad, Distt. Panch Mahals, have been granted licence No. P/S/1837940 for Rs. 73125 (Rs. Seventy three thousand one hundred twenty five only), and licence P/S/1837941 dated 1-8-75 for Rs. 24375 (Rs. twenty four thousand three hundred seventy five only) for import of item Accelerators curing agents antioxidants retarders Peptisers and reclaiming agents etc.

They have applied for duplicate copies of the said licence (Custom Purposes copies only) on the ground that the original Custom copies have been lost/misplaced without having been registered with customs authority, Bombay.

In support of their claim, applicant has filed an affidavit.

I am satisfied that custom purposes copies of import licences No. P/S/1837940 dt. 1-8-75 and P/S/1837941 dated 1-8-75 have been lost/misplaced and direct that the duplicate of said custom purpose copies of the licence should be issued to applicant.

The original Custom Purposes copies of licences are treated as cancelled herewith.

[No. 1663/NU/9253/P. 35/AM-75/SSI/AU/4196]

प्रहमदाबाद, 4 नवम्बर, 1976

रद्द करने का आवेदन

का० आ० 88.—सर्वेशी टेलीवीजन एंड कम्पोनेन्ट्स प्रा० लि०, प्लाट नं० 57 जी० बाई० डी० सी० इन्फ्रास्ट्रक्चर इंस्टेट, नरोदा, प्रहमदाबाद की विप्रेक्षण कायल और लिनिएरिटी कायल आदि मदों का आयात करने के लिए 42240 रुपये (बालीस हजार दो सौ बालीस रुपए मात्र) का आयात लाइसेंस सं० पी/एस/1839253 दिनांक 9-2-76 प्रवान किया गया है।

2. उन्होंने उपर्युक्त ला० केवल सीमा शुल्क प्रयोजन की अनुलिपि प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति सीमांशुल्क प्राधिकारी बम्बई के पास पंजीकृत कराए बिना ही खो गई/प्रस्थानस्थ हो गई है।

3. अपने दावे के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

4. मैं संतुष्ट हूँ कि आयात ला० सं० पी/एस/1839253 दिनांक 9-2-76 की सीमा शुल्क प्रयोजन प्रति खो गई/प्रस्थानस्थ हो गई है और विवेद देता हूँ कि आवेदक को ला० को उपर्युक्त सीमा शुल्क प्रयोजन प्रति की अनुलिपि जारी की जानी चाहिए। लाइसेंस की मूल सीमांशुल्क प्रयोजन प्रति एतद्वारा रद्द कर दी गई समझी जाती है।

[सं० 892/एयू/18103/एएस/एएम-76/एयू/एसएसभाई/5512]

डी० सी० सूजा, उप-मुख्य नियंत्रक

Ahmedabad, the 4th November, 1976

CANCELLATION ORDER

S.O. 88.—M/s. Television & Components Pvt. Ltd., Plot No. 57, G.I.D.C. Industrial Estate, Naroda, Ahmedabad, has been granted import licence No. P/S/1839253 dt. 9-2-76 for Rs. 42240 (Rs. Forty two thousands two hundred forty only) for import of item Deflection coil and linearity coil etc.

They have applied for duplicate copy of the said licence (Custom Purpose Copy only) on the ground that the original custom copy has been lost/misplaced without having been registered with customs authority, Bombay.

In support of their claim, applicant has filed an affidavit.

I am satisfied that the custom purpose copy of import licence No. P/S/1839253 dt. 9-2-76 has been lost/misplaced and direct that the duplicate of said custom purpose copy of the licence should be issued to applicant.

The original custom purpose copy of licence is treated as cancelled herewith.

[No. 892/EU/18103/NS/AM-76/AU/SSI/5512]

D. D'SOUZA, Dy. Chief Controller

उद्योग मंशालय

(प्रौद्योगिक विकास विभाग)

नई विल्ली, 24 दिसम्बर, 1976

का० आ० 89.—सरकारी स्थान (प्राधिकृत भवित्वान्तरों की बेदखली) अधिनियम, 1971 (1971 का 40) की घारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकारी, नीचे की सारणी के स्तरम् (1) में वर्णित प्रधिकारी को, जो सरकार के गजपत्रित प्रधिकारी की पक्षित के समतुल्य प्रधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्बद्ध प्रधिकारी नियुक्त करती है, जो उक्त सारणी के स्तरम् (2) में विनिश्चित सरकारी स्थानों की बाबत उक्त प्रधिनियम द्वारा या उसके प्रयोग सम्बद्ध प्रधिकारी को प्रदत्त शक्तियों का प्रयोग और प्रधिरोपित करत्वे का पालन करेगा।

सारणी

प्रधिकारी का नाम और पदाधिकारी	सरकारी स्थान
श्री भारत के बर्मा, सचिव, टेनरी एंड फुटवियर कारपोरेशन टैनरी एंड फुटवियर कारपोरेशन भारत इंडिया लिमिटेड, कानपुर।	आफ इंडिया लिमिटेड, कानपुर के या उसके द्वारा भर्जित या किराए पर लिए गए सरकारी स्थान।

[फा० मं० 12(65)/76-एल०भार०जी०]

एस० बी० सुब्रामणियन, अध्यक्ष सचिव

MINISTRY OF CIVIL SUPPLIES & CO-OPERATION

New Delhi, the 20th December, 1976

S.O. 90.—In exercise of the powers conferred by Sub-section (2) and (4) of section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) the Central Government hereby appoints Shri B. N. Jayasimha, Joint Secretary to the Govt. of India in the Ministry of Civil Supplies & Co-operation as a Member of the Forward Markets Commission, Bombay, from the forenoon of 20-12-76 till further orders and nominates him to be the Chairman of that Commission.

[File No. A-12011/60/76-Estt.]

S. M. KELKAR, Under Secy.

MINISTRY OF INDUSTRY

(Department of Industrial Development)

New Delhi, the 24th December, 1976

S.O. 89.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of a Gazetted Officer of Government, to be an estate officer for the purposes of the said Act who shall exercise the powers conferred and perform the duties imposed on an estate officer by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Name and Designation of the officer	Public Premises
(1)	(2)
Shri R. K. Verma, Secretary, Tannery and Footwear Corporation of India Limited, Kanpur.	Public premises owned or acquired or hired by the Tannery and footwear Corporation of India Limited, Kanpur.

[F. No. 12(65)/76-LRG]

S. B. SUBRAMANIAN, Under Secy.

भारतीय पूर्ति एवं सहकारिता मंत्रालय

नई दिल्ली, 20 दिसम्बर, 1976

का० आ० 90.—अधिग्रहण संविदा (जिनियन) प्रधिनियम, 1952 (1952 का 74) की धारा 3 की उपधारा (2) तथा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार एवं द्वारा नागरिक पूर्ति और सहकारिता मंत्रालय में भारत सरकार के संयुक्त सचिव श्री बी० एच० जयसिंह को 20-12-1976 के पूर्वाह्न से आगे आदेश होने तक आयदा घाजार आयोग, बम्बई का भद्रस्य नियुक्त करती है तथा उन्हें आयोग का अध्यक्ष मनोनीत करती है।

[मिसिल संदर्भ ए-12011/60/76-स्थापना]

एस० एम० केलकर, अध्यक्ष सचिव

भारतीय मानक संस्था

नई दिल्ली, 15 दिसम्बर, 1976

का० आ० 91.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विहून) विनियम 1955 के विनियम 5 के उपविनियम (1) के भ्रान्तिकार प्रधिसूचित किया जाता है कि IS : 5909-1970 वायुयान कार्यों के लिए एलुमिनियम और एलुमिनियम मैग्नीज मिश्र धातु की चढ़ार और पत्ती की विशिष्टि जिसके बीचे अधिसूचना सख्ता एस ओ 1635 विनाक 13-6-1976 के घन्तांत भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) विनाक 8-7-1972 में छोड़े थे, वापस कर ली गई है और अब वह IS : 7882-1975 वायुयान कार्यों के लिए एलुमिनियम मिश्रधातु और पत्ती (मिश्रधातु 31000) की विशिष्टि और IS : 7883-1975 वायुयान कार्यों के लिए एलुमिनियम की चढ़ार और पत्ती (19000) की विशिष्टि के प्रकाशन के फलस्वरूप रह मानी जाए।

[संख्या सी एम ऑ/13 : 7]

INDIAN STANDARDS INSTITUTION

New Delhi, the 15th December, 1976

S.O. 91.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations 1955, as amended from time to time, it is hereby notified that IS : 5909-1970 Specification for aluminium and aluminium manganese alloy sheet and strip for aircraft purposes, details of which were published under notification number S. O. 1635 dated 13-6-1976, in the Gazette of India Part-II, Section-3, Sub-Section (ii) dated 8-7-1972 has been withdrawn and stands cancelled in view of publication of IS: 7882-1975 Aluminium alloy and strip for aircraft purposes (alloy 31000) and IS : 7883-1975 Aluminium sheet and strip for aircraft purposes (19000).

[No. CMD/13:7]

का०आ० 92.—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा प्रधिसूचित किया जाता है कि सामान्य उपयोग वाले टंगस्टन फिलामेंट लगे बिजली के बल्ब की प्रति इकाई प्रमाणन चिह्न लगाने की फीस अनुसूची में दिए गए व्यौरों के अनुसार निर्धारित की गई है और वह फीस 1-1-1976 से लागू हो जाएगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मूहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	सामान्य उपयोग वाले बिजली के टंगस्टन फिलामेंट लगे बल्ब	IS : 418-1963 सामान्य उपयोग वाले टंगस्टन फिलामेंट लगे बिजली के बल्बों की विशिष्टि	100 बल्ब	10 पैसे
(दूसरा पुनरीक्षण)				

[संख्या सी एम डी/13 : 10]

S.O. 92.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for tungsten filament general service electric lamps details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1-1-1976 :

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Tungsten filament general service electric lamps.	IS : 418—1963 Specification for tungsten filament general service electric lamps (second revision)	100 Bulbs	10 Paise

[No. CMD/13 : 10]

का०आ० 93.—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा प्रधिसूचित किया जाता है कि नीचे दिए गए विभिन्न उत्पादों की प्रति इकाई प्रमाणन चिह्न लगाने की फीस अनुसूची में दिए गए व्यौरों के अनुसार निर्धारित की गई है और ये फीस उनके आगे दी गई तिथियों से लागू होंगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मूहर लगाने की फीस	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.	अंतर्दृष्टि इंजनों के पिस्टन रिंगों की तकनीकी सप्लाई शर्तें	IS : 5791-1970 अंतर्दृष्टि इंजनों के पिस्टन रिंगों की तकनीकी सप्लाई शर्तों की विशिष्टि	1000 मद	(1) पहली 500 इकाइयों के लिए रु 5.00 प्रति इकाई और (2) 501वीं और उससे ऊपर की इकाइयों के लिए रु 3.00 प्रति इकाई	16-11-1976
2.	दंत चिकित्सा कुर्सी	IS : 6116-1971 दंत चिकित्सा कुर्सी एक कुर्सी की विशिष्टि	रु 20.00		1-1-1976

[संख्या सी एम डी/13 : 10]

ए० बी० राज, उप-महानिदेशक

S.O. 93.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards institution, hereby, notifies that the marking fee(s) per unit for various products details of which

are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each :

SCHEDULE

Sl. No.	Product/Class of Product (2)	No. and Title of Relevant Indian Standard (3)	Unit (4)	Marking Fee per Unit (5)	Date of effect (6)
(1)					
1.	Technical supply conditions for piston rings for IC engines	IS : 5791—1970 Specification for technical supply conditions for piston rings for IC engines.	1000 Pieces	(i) Rs. 5.00 per unit for the first 500 units and (ii) Rs. 3.00 per unit for the 501st units and above.	16-11-1976
2.	Dental chair	IS : 6116—1971 Specification for dental chair.	One Chair	Rs. 20.00	1-1-1976

[No. CMD/13 : 10]
A.B. RAO, Dy. Director General

पेट्रोलियम भवालय

नई दिल्ली, 7 दिसम्बर, 1976

क्रा.बा. 94.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि भौकृष्ण में यह आवश्यक है कि गुजरात राज्य में मलाया पत्तन से उत्तर प्रदेश में मधुग तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय तेल निगम लिमिटेड द्वारा बिलाई जानी चाहिए।

धीर यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोगन के लिए एक दुपारावद्य प्रमुखता में विशिष्ट भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः प्रथम पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

उक्त भूमि में हिंदूबद्द कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी भारतीय तेल निगम लिमिटेड, मलाया-कोयाली/मधुग पाइप लाइन प्रोजेक्ट मोर्की हाऊस जामनगर रोड राज्योदय को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

प्रमुखता

तालुका : पासनपुर जिला : बनसपाथा गुजरात : राज्य

गांव	सर्वेक्षण संख्या	कोड	एच०	ए०	इंग०	मीटर
फोतवा चांदगढ़	67/2		0	12	48	
	67/6		0	04	00	
	7/5		0	06	40	
	63/3		0	08	48	

राजस्थान	62	0	47	03
	54/1	0	30	92
	53	0	40	73
	47/1	0	45	68
	48	0	30	56
	49	0	09	63
	39	0	25	20
जेठी	4	0	15	38
	5/1	0	17	92
	5/2	0	12	60
	3	0	14	76
	95/टी	0	09	12
	(98)			
	95/जै८०	0	28	00
	(99)			
	95/जै०	0	41	00
	207	0	08	00
	203	0	30	78
	204	0	12	84
	199	0	27	18
	198	0	25	12
	190	0	19	54
	189	0	16	04
	188	0	14	88
	95/सीएचए	0	12	48
	95/सीएच	0	40	48
	95/सीएच	0	40	48
	95/टी/९	0	35	28
	95/टी/८	0	41	84
	95/टी/जीएच	0	16	62
	95/टी/टी	0	68	72
	95/टी/छ	0	79	28
	95/टी/ष	0	55	80
	95/टी/१	0	42	18
	95/टी/क	0	42	00

1	2	3	4	5
इकायाल गढ़ (सरोतरी)	12	0	21	56
	13	0	19	80
	21/1			
	46	0	49	53
	21/1			
	41	0	20	39
	21/1			
	50	0	37	44
	21/1			
	51	0	13	24
	21/1			
	57	0	41	04
	21/1			
	53	0	15	56
	21/5	0	53	36
	21/6	0	42	00
	21/1			
	12	0	34	12
	21/1			
	11	0	04	16
	21/1			
	9	0	39	78
	21/1			
	8	0	15	84
जनजरवाल	8	0	09	34
	6	0	02	56
	7/पी—ए	0	18	72
	7/पी—बी	0	04	64
	7/पी—टी	0	08	48
	7/पी—टी	0	23	28
	13	0	26	00
	14	0	21	42
	15	0	22	68
जूनी सरोतरी	94	0	18	63
	93	0	18	72
	88	0	36	99
	87	0	07	29
	92	0	00	10

[संख्या 12020/6/76—एन एण्ड एस/I]

MINISTRY OF PETROLEUM

New Delhi, the 7th December, 1976

S.O. 94.—Whereas it appears to the Central Government that it is necessary in the public interest that for the

transport of petroleum from Salya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And whereas it appears that for the Purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyal/Mathura Pipeline Project, "Morvi House" Jamnagar road' Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE
Taluka : Palanpur District : Banaskantha Gujarat State

Village	Survey No.	Extent		
		H	A	Sq. M
1	2	3	4	5
Kotda Chandgadh .	67/2		0	12 48
	67/6		0	04 00
	67/5		0	06 40
	63/3		0	08 48
	62		0	47 03
	54/1		0	30 92
	53		0	40 73
	47/1		0	45 68
	48		0	30 56
	49		0	09 63
	39		0	25 20
Rajpuria	4		0	15 38
	5/1		0	17 92
	5/2		0	12 60
	3		0	14 76
Jathi . . .	95/T			
	(98)		0	09 12
	95/Z			
	(99)		0	28 00
	95/J		0	41 00
	207		0	08 00
	203		0	30 78
	204		0	12 84
	199		0	27 18
	198		0	25 12
	190		0	19 54
	189		0	16 04
	188		0	14 88
	95/chh		0	12 48
	95/ch		0	40 48
	95/P/9		0	35 28
	95/P/8		0	41 84
	95/P/Gh		0	16 62
	95/P/G		0	68 72
	95/P/Kh		0	79 28
	95/P/Th		0	55 80
	95/P/I		0	42 18
	95/P/K		0	42 00

1	2	3	4	5
Iqbal Gadh (Sarotri)	12		0	21 56
	13		0	19 80
	21/1			
	46		0	49 53
	21/1			
	41		0	20 39
	21/1			
	50		0	37 44
	21/1			
	51		0	13 24
	21/1			
	57		0	41 04
	21/1			
	53		0	15 56
	21/5		0	53 36
	21/6		0	42 00
	21/1			
	12		0	34 12
	21/1			
	11		0	04 16
	21/1			
	9		0	39 78
	21/1			
	8		0	15 84
Zanzarwav . .	8		0	09 34
	6		0	02 56
	7/P-A		0	18 72
	7/P-B		0	04 64
	7/P-C		0	08 48
	7/P-D		0	23 28
	13		0	26 00
	14		0	21 42
	15		0	22 68
Juni Sarotri . .	94		0	18 63
	93		0	18 72
	88		0	36 99
	87		0	07 29
	92		0	00 10

[No. 12020/6/76-L & L/I]

का० आ० 95.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में सभाया पत्तन से उत्तरप्रदेश में मधुरा तक पेट्रोलियम के परिवहन के लिए पाइपलाइन सार्वजनिक तेल निगम सिमिटेक द्वारा बिलाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी साइनों को बिलाने के प्रयोजन के लिए एतदुपावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार वर्जित करना आवश्यक है।

प्रतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का वर्जन) अधिनियम, 1962 (1962 का 50) की आरा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने

उसमें उपयोग का अधिकार वर्जित करने का अपना आशय एतद्वारा घोषित किया है।

उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए प्राक्षेप सूक्ष्म प्राक्षिकारी, भारतीय तेल निगम सिमिटेक, मनायाकोयाली/मधुरा पाइपलाइन प्रोजेक्ट, सोरवी हाउस जामनगर रोड राजकोट को इस अविसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की माफत।

अनुसूची

तालुकः पालनपुर	जिला : बासकैन्या गुजरात राज्य
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गांव	सर्वेक्षण संख्या	क्षेत्र	एक०	द०	बर्ग मीटर
1	2	3	4	5	
कनोडर	302/3	0	04	68	
	301	0	28	53	
	305	0	25	92	
	306/6	0	16	14	
	306/7	0	02	24	
	354/2	0	00	96	
	353/5	0	01	44	
	353/3	0	01	03	
	353/2	0	00	96	
	306/1	0	14	19	
	350/12	0	03	74	
	350/11	0	02	24	
	349/4	0	04	17	
	349/3	0	04	86	
	349/2	0	01	92	
	349/1	0	07	58	
	348/3	0	05	22	
	348/2	0	05	13	
	348/1	0	05	53	
	347/5	0	05	04	
	347/4	0	01	44	
	347/3	0	03	10	
	347/2	0	05	26	
	311/1	0	00	04	
	312/2	0	03	08	
	312/1	0	05	08	
	342/7	0	00	32	
	315/6	0	08	00	
	315/5	0	01	92	
	315/4	0	05	98	

1	2	3	4	5	1	2	3	4	5
कलोडर	315/2	0	05	94	जगाना	3	0	68	13
	314/1	0	00	08		181			
	316/3	0	10	26		—			
	318/4	0	01	22		1	0	30	42
	318/3	0	13	05		187	0	39	72
	319/1	0	01	48		188/2	0	19	17
	320	0	11	52		188/1	0	04	80
	321	0	02	40		189	0	18	33
	171/वी	0	10	35		192/5	0	06	72
	170/वी	0	08	88		192/1	0	01	76
	173/1	0	03	00		190	0	28	37
	174/3	0	04	73		214/4	0	12	69
	174/1	0	05	86		214/3	0	07	47
	169/वी	0	06	06		214/1	0	08	64
	168	0	01	05		213/7	0	09	92
	175	0	15	24		215	0	02	40
	160	0	18	00		213/4	0	24	57
	159/वी-5	0	06	75		221/9	0	16	83
	159/वी-3	0	00	48		221/6	0	03	06
	159/वी-2	0	10	40		221/7	0	06	12
	89	0	15	66		221/4	0	05	80
	92	0	13	38		222/1	0	01	98
	93	0	01	95		229+230			
	87/वी	0	22	59		—			
	95/वी-2	0	24	84		4	0	15	75
	95/वी-1	0	05	22		229+230			
	97/6	0	00	32		—			
	97/5	0	07	34		3	0	19	89
	97/1	0	04	05		229+230			
	97/2	0	05	22		—			
	96/2	0	06	30		1	0	16	74
	96/3	0	05	04		228	0	15	93
	60/1-ए	0	02	37		237	0	16	74
	60/1-वी	0	10	70		238/4	0	13	95
	60/2	0	00	16		240	0	27	27
	60/3	0	00	16		241	0	12	96
	62/वी-3	0	02	72		265/2	0	17	64
	61/1	0	13	40		264	0	39	87
	61/2	0	08	28		269	0	30	51
	57/1	0	02	56		268	0	10	53
	57/2	0	18	57		270	0	14	40
	56/वी-1	0	17	82		285+286			
	55	0	31	14		—			
	54/वी-2	0	01	36		1	0	66	24
जगाना	175	0	37	65		284/5	0	00	46
	178+179+180					284/3-ए	0	28	48
	+182					284/3-वी	0	02	72
	—					311	0	12	06
						312	0	08	37

1	2	3	4	5	1	2	3	4	5
झगाना	313	0	17	50		754/बी	0	00	44
	314/2	0	12	96		754/सी	0	00	36
एम बी पुरा	14	0	20	00		746/1	0	06	76
	16/4	0	22	09		746/3	0	02	03
	16/2	0	16	94		746/2-ए	0	09	66
	16/1	0	36	18		746/2-बी	0	04	00
	17/1	0	28	41		746/2-सी	0	09	00
	4+5					745	0	15	74
						743+744			
	7	0	02	34		10	0	00	08
	4+5					743+744			
	6	0	01	44		8	0	01	96
	4+5					743+744			
	4	0	17	55		5	0	06	96
	4+5					654/1	0	06	40
	2	0	21	69		655	0	12	80
	6/5	0	18	27		661/1	0	00	05
	6/3	0	14	31		661/2	0	03	70
	6/1	0	15	93		661/3	0	09	18
पालनपुर	1026/2	0	37	36		662/2-ए	0	07	12
	1025/1	0	03	32		661/1	0	21	42
	1024/2	0	07	72		666/2	0	02	80
	1021/1	0	11	20		668/2-ए	0	20	00
	1022	0	26	00		668/2-बी	0	06	20
	898-ए	0	00	72		676/3	0	02	88
	898-बी	0	10	08		676/2	0	21	42
	905-ए	0	08	43		672+674			
	905-बी	0	14	20		3-सी	0	07	63
	900	0	25	20		674+674			
	904	0	02	72		3-बी	0	05	76
	902	0	29	06		673+674			
	819	0	20	34		3/ए	0	11	44
	817/12	0	12	80		673+674			
	817/13	0	07	74		2	0	03	20
	817/2	0	21	06		673+674			
	816	0	29	25		673+674			
	806	0	02	46		1	0	28	96
	807	0	40	74		493/1-ए	0	05	84
	838	0	26	97		493/ए-1	0	15	22
	843	0	16	40		493/1-सी	0	05	12
	844	0	22	60		492/2	0	04	16
	753/पी-2	0	08	92		492/1	0	09	12
	753/पी-1	0	02	94		488/ए	0	07	20
	753/पी-1/बी	0	05	88		488/बी	0	03	04
	753/पी-1/सी	0	01	90		488/सी	0	09	28
	753/पी-1/टी	0	01	00		498	0	27	16
	754/ए	0	07	48		490/ए	0	26	92

1	2	3	4	5	1	2	3	4	5
पालनपुर	490/गी	0	13	72	पालनपुर	310/गी-सी	0	03	88
	491/ए	0	05	12		310/गी-जी	0	08	44
	491/गी	0	05	20	मोगम्ब	12/3	0	18	00
	491/सी	0	02	20		12/2	0	07	00
	483/4/ए	0	11	60		12/1	0	05	40
	483/4/गी	0	07	92		13	0	01	16
	483/4/सी	0	06	48		10+11			
	483/4/जी	0	13	14		1	0	08	44
	483/3	0	26	46		16/6	0	16	76
	411/6	0	05	20		16/5	0	15	75
	344	0	29	70		16/3	0	10	53
	335/गी-ए	0	18	94		17	0	22	90
	335/ए	0	02	56		8+9			
	336+गी337					1	0	00	52
	1ए	0	11	52		18	0	17	81
	336+गी337					19/6	0	06	88
	2ए	0	11	70		19/7	0	16	74
	336+गी337					19/8	0	07	48
	3	0	12	88		21+22			
	285/1	0	06	32		9	0	02	88
	285/3ए	0	01	76		21+22			
	285/2/गी	0	10	35		10	0	12	50
	284	0	00	52		21+22			
	286	0	46	54		8	0	03	96
	283/1	0	00	10		30+31			
	289/1	0	13	68		8	0	06	62
	291	0	21	88		30+31			
	290/2	0	25	68		2	0	17	82
	292/1	0	09	72		30+31			
	293/गी-ए	0	00	20		4/गी-ए	0	07	92
	293/गी-बी	0	07	90		30+31			
	293/गी-सी	0	14	94		4/गी-जी	0	04	60
	302/गी-ए	0	14	58		30+31			
	302/गी-बी	0	13	00		5	0	13	14
	302/गी-सी	0	15	30		34/1	0	09	36
	303	0	05	12		28+29			
	304/गी-ए	0	09	40		4/गी-जी	0	05	00
	304/गी-बी	0	18	40		30+31			
	305/1/गी	0	24	92		5	0	14	04
	307	0	39	20		37	0	19	08
	306	0	01	48		38+39+40+41	0	18	00
	302/गी-सी	0	15	30		1			
	303	0	05	12					
	304/गी-ए	0	09	40					
	304/गी-बी	0	18	40					
	305/1	0	24	92					
	307	0	39	20					
	306	0	01	48					
	310/गी-ए	0	13	60					
	310/गी-बी	0	12	60					

1	2	3	4	5	1	2	3	4	5
	38+39+40+41				हेसपुर	16/1	0	22	20
	2	0	22	28		15/1	0	08	40
वरदिया (संथ पुरिया)	20/1	0	03	00		15/3	0	00	20
	20/2	0	00	25		15/2	0	07	20
	20/3	0	29	88		14/पी-ए	0	24	66
	17	0	10	62		14/पी-बी	0	08	64
	22+23					3	0	23	12
						9	0	08	72
						8	0	09	90
	49	0	08	55		4/4	0	00	10
	22+23					4/2	0	05	32
						4/1	0	07	20
	49	0	10	62		7/2	0	09	30
	22+23					7/1	0	12	80
					चितरासनी	96	0	47	97
	5	0	08	50		101	0	18	05
	22+23					104	0	03	04
	27	0	28	00		105	0	17	19
	22+23					106	0	15	44
	27	0	01	20		108	0	00	24
खेमना	116+122	0	18	20		140/1	0	27	41
	123	0	20	16		140/2	0	24	44
	121	0	02	70		139	0	14	49
	124	0	20	60		146	0	06	88
	31	0	03	70		148/1	0	05	00
	30	0	04	80		148/2	0	10	24
	26/1	0	15	96		150	0	17	46
	25/3	0	02	40		151	0	40	00
	25/4	0	03	20					
	25/1	0	10	38					
	25/2	0	02	52					
	45	0	11	20					
	23/1	0	01	75					
	46	0	04	72					
	20+47+49	0	13	50					
	19/2	0	09	16					
	17/2	0	03	00					
	18	0	00	10					
	50+51								
	८	0	21	06					
	50+51								
	धी	0	31	14					
मालगा	154/2	0	12	12					
	154/1	0	17	28					
	145	0	11	96					
	153	0	00	66					
	150	0	37	72					
	149	0	06	30					
	146/1-पी-ए	0	17	64					
	146/1-पी-बी	0	37	36					

[मो/2020/6/76-एस एस एस-II]

S.O. 95.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali/Mathura Pipeline Project, "Morvi House" Jamnagar Road, Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Taluka : Palanpur District : Banaskantha Gujarat State

Village	Survey No.	Extent		
		H.	A.	Sq. M.
1	2	3	4	5
Kanodar	302/3	0	04	68
	301	0	28	53
	305	0	25	92
	306/6	0	16	14
	306/7	0	02	24
	354/2	0	00	96
	353/5	0	01	44
	353/3	0	01	03
	353/2	0	00	96
	306/1	0	14	19
	350/12	0	03	74
	350/11	0	02	24
	349/4	0	04	17
	349/3	0	04	86
	349/2	0	01	92
	349/1	0	07	58
	348/2	0	05	22
	348/2	0	05	13
	348/1	0	05	53
	347/5	0	05	04
	347/4	0	01	44
	347/3	0	03	10
	347/2	0	05	26
	311/1	0	00	04
	312/2	0	03	08
	212/1	0	05	08
	342/7	0	00	32
	315/6	0	06	00
	315/5	0	01	92
	315/4	0	05	98
	315/2	0	05	94
	314/1	0	00	08
	316/3	0	10	26
	318/4	0	01	22
	318/3	0	13	05
	319/1	0	01	48
	320	0	11	52
	321	0	02	40
	171/B	0	10	35
	170/B	0	08	88
	173/1	0	03	00
	174/3	0	04	73
	174/1	0	05	86
	169/B	0	06	06
	168 ..	0	01	05
	175	0	15	24
	160	0	18	00
	159/B-5	0	06	75
	159/B-3	0	00	48
	159/B-2	0	10	40
	89	0	15	66
	92	0	13	38
	93	0	01	95
	87/B	0	22	59
	95/B-2	0	24	84
	95/B-1	0	05	22
	97/6	0	00	32
	97/5	0	07	34
	97/1	0	04	05
	97/2	0	05	22
	96/2	0	06	30

Kanodar (contd.)	1	2	3	4	5
	96/3		0	05	04
	60/1-A		0	02	37
	60/1-B		0	10	70
	60/2		0	00	16
	60/3		0	00	16
	62/B-3		0	02	72
	61/1		0	13	40
	61/2		0	08	28
	57/1		0	02	56
	57/2		0	18	57
	56/B		0	17	82
	55		0	31	14
	54/B-2		0	01	36
Jagana	175		0	37	65
	178+179+180+182				
	3		0	68	13
	181				
	1		0	30	42
	187		0	39	72
	188/2		0	19	17
	188/1		0	04	80
	189		0	18	33
	192/5		0	06	72
	192/1		0	01	76
	190		0	28	37
	214/4		0	12	69
	214/3		0	07	47
	214/1		0	08	64
	213/7		0	09	92
	215		0	02	40
	213/4		0	24	57
	221/9		0	16	83
	221/6		0	03	06
	221/7		0	06	12
	221/4		0	05	80
	222/1		0	01	98
	229+320		0	15	75
	4				
	229+230				
	3		0	19	89
	229+230				
	1		0	16	74
	128		0	15	93
	237		0	16	74
	238/4		0	13	95
	240		0	27	27
	241		0	12	96
	265/2		0	17	64
	264		0	39	87
	269		0	30	51
	268		0	10	53
	270		0	14	40
	285+286				
	1		0	66	24
	284/5		0	00	48
	284/3-A		0	28	48
	284/3-B		0	02	72
	311		0	12	06
	312		0	08	37
	313		0	17	55
	314/2		0	12	96

1	2	3	4	5	1	2	3	4	5
Esbipura	14	0	20	00	Palanpur (contd.)	743+744	0	06	96
	16/4	0	22	09		5	0	06	40
	16/2	0	16	89		654/1	0	06	80
	16/1	0	36	18		655	0	12	05
	17/1	0	28	44		661/1	0	00	05
	4+5	0	02	34		661/2	0	03	70
	7					661/3	0	09	18
	4+5	0	01	44		662/2/A	0	07	12
	6					661/1	0	25	62
	4+5	0	17	55		666/2	0	02	80
	4+5	0	21	69		668/2/A	0	20	00
	2					668/2/B	0	06	20
	6/5	0	18	27		676/3	0	02	88
	6/3	0	14	31		676/2	0	21	42
	6/1	0	15	93		673+674	0	07	65
Palanpur	1026/2	0	37	36		3-C			
	1025/1	0	03	32		673+674			
	1021/2	0	07	72		— — —			
	1021/1	0	11	20		3-B	0	05	76
	1022	0	26	00		673+674			
	898-A	0	00	72		— — —			
	898-B	0	10	08		3-A	0	11	44
	905-A	0	08	43		673+674			
	905-B	0	14	20		— — —	0	03	20
	900	0	25	20		2			
	904	0	02	72		673+674			
	902	0	29	06		1	0	28	96
	819	0	20	34		493/1-A	0	05	84
	817/12	0	12	80		493/1-B	0	15	22
	817/13	0	07	74		493/1-C	0	05	12
	817/2	0	21	06		492/2	0	04	16
	816	0	29	25		492/1	0	09	12
	806	0	42	60		488/A	0	07	20
	807	0	40	74		488/B	0	03	04
	838	0	26	97		488/C	0	09	28
	843	0	16	40		489	0	27	16
	844	0	22	60		490-A	0	26	92
	753/P.2	0	08	92		490-B	0	13	72
	753/P.1 A	0	02	94		491/A	0	05	12
	753/P.1 B	0	05	88		491/B	0	05	20
	753/P.1 C	0	01	90		491/C	0	02	20
	753/P.1 D	0	01	00		483/4-A	0	11	60
	754-A	0	07	48		483/4-B	0	07	92
	754-B	0	00	44		483/4-C	0	06	48
	754-C	0	00	36		483/4-D	0	13	14
	746/1	0	06	76		483/3	0	26	46
	746/3	0	02	03		411/6	0	05	20
	746/2-A	0	09	66		411/4	0	09	64
	746/2-B	0	09	00		411/7	0	00	10
	746/2-C	0	09	00		410	0	26	64
	745	0	15	74		362/2-A	0	04	62
	743+744					362/2-B	0	06	75
	10	0	00	08		362/1-A	0	08	46
	743+744					362/1-B	0	07	76
	8	0	01	96		361/1-A	0	07	48
						361/1-B	0	18	18

1	2	3	4	5	1	2	3	4	5
Palanpur (contd.)	359	0	31	28	Songadh (contd.)	21+22			
	344	0	29	70		10	0	12	50
	355/P-A	0	18	94		21+22			
	355/P-B	0	02	56		8	0	03	96
	336+337					30+31			
	1	0	11	52		8	0	06	62
	336+337					30+31			
	2	0	11	70		2	0	17	82
	336+337					30+31			
	3	0	12	88		3	0	07	92
	285/1	0	06	32		30+31			
	285/3	0	01	76		4 P A	0	04	60
	285/2	0	10	35		30+31			
	284	0	00	52		—	0	05	00
	286	0	46	54		4 P B			
	283/1	0	00	10		30+31			
	289/1	0	13	68		5	0	13	14
	291	0	21	88		34/1	0	09	36
	290/2	0	25	68		28+29			
	292/1	0	09	72		—	0	15	66
	293/P-A	0	00	20		4			
	293/P-B	0	07	90		28+29			
	293/P-C	0	14	94		5	0	14	04
	302/P-A	0	14	58		37	0	19	08
	302/P-B	0	13	00		38+39+40+41			
	302/P-C	0	15	30		—	0	18	00
	303	0	05	12		1			
	304/P-A	0	09	40		38+39+40+41			
	304/P-B	0	18	40		—	0	22	28
	305/1	0	24	92		2			
	307	0	39	20					
	306	0	01	48					
	310/P-A	0	13	60					
	310/P-B	0	12	60					
	310/P-C	0	03	88					
	310/P-D	0	08	44					
Songadh	12/3	0	18	00	Varwadia (Shang-puria)	20/1	0	03	00
	12/2	0	07	00		20/2	0	00	25
	12/1	0	05	40		20/3	0	29	88
	13	0	01	16		17	0	10	62
	10+11					22+23			
	1	0	08	44		4A	0	08	55
	16/6	0	16	76		22+23			
	16/5	0	15	75		4B	0	10	62
	16/3	0	10	53		22+23			
	17	0	22	90		—	0	08	50
	8+9					5			
	1	0	00	52		22+23			
	18	0	17	81		2A	0	28	00
	19/6	0	07	88		22+23			
	19/7	0	16	74		2B	0	01	20
	19/8	0	07	48					
	21+22								
	9	0	02	88					

1	2	3	4
Khemana—contd.			
26/1		0 15	96
25/3		0 02	40
25/4		0 03	20
25/1		0 10	88
25/2		0 02	52
45		0 11	20
23/1		0 01	75
46		0 04	72
20+47+49		0 13	50
19/2		0 09	16
17/2		0 03	00
18		0 00	10
50+51			
A		0 21	06
50+51			
B		0 31	14
Malana			
154/2		0 12	12
154/1		0 17	28
145		0 11	96
153		0 00	66
150		0 37	72
149		0 06	30
146/1 P/A		0 17	64
146/1 P/B		0 37	36
Hebatpur			
16/1		0 22	20
15/1		0 08	40
15/3		0 00	20
15/2		0 07	20
14/P/A		0 24	66
14/P/B		0 08	64
3		0 23	12
9		0 08	72
8		0 09	90
4/4		0 00	10
4/2		0 05	32
4/1		0 07	20
7/2		0 09	30
7/1		0 12	80
Chitrasani			
96		0 47	97
101		0 18	05
104		0 03	04
105		0 17	19
106		0 15	44
108		0 00	24
140/1		0 27	41
140/2		0 24	44
139		0 14	49
146		0 06	88
148/1		0 05	00
148/2		0 10	24
150		0 17	46
151		0 40	00

[No. 12020/6/76-L&L/II]

प्रतः, प्रब ऐट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपचारा (1) द्वारा प्रदत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एवं द्वारा घोषित किया है।

उक्त भूमि में हिन्दूबढ़ कोई व्यक्ति, उम भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप मथम प्राधिकारी, भारतीय नेत नियम लिमिटेड, मलाया-कोयासी/मथुरा पाइपलाइन प्रॉजेक्ट, मोरर्वा लाउम, जाम नगर रोड, राजकोट को हम अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता है।

ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिश हो या किसी विधि व्यवसायी की साफेत।

ग्रनुसूची		ग्रनुसूची	
नामः वालनपुर	जिला : ग्रानसक्त्या	गृजगत : राज्य	
ग्राम	मर्वेश्वर संख्या	शेष	
		ए.प०	ए.प०
		वर्गी	मीटर
1	2	3	4
धोनिया	213	0 14	13
	219	0 05	22
	220	0 23	71
	228	0 23	60
	226	0 01	14
	199	0 19	98
	241	0 24	21
	243/1	0 08	37
	243/2	0 18	99
	244	0 13	77
	246	0 08	46
	247	0 08	77
	249	0 07	63
	248/2	0 02	72
	250	0 00	08
	251	0 17	64
	252	0 10	57
	253	0 15	48
	254	0 02	52
	264	0 14	13
	263	0 18	58
	266	0 02	88
	272	0 23	31
	271	0 28	80
	274	0 10	71
	276	0 18	27
	277	0 15	39
	282/1	0 01	60
	278	0 19	46
	279	0 09	45
	278 बी०	0 04	35
	278 ए०	0 14	20
	282/1 ए०	0 01	35
	282/1 बी०	0 01	00
	279	0 09	45

का० आ० 96.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि नोकहिन में यह आवश्यक है कि गृजगत राज्य में मलाया पत्तन से उत्तर प्रदेश में मथुरा तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय नेत नियम लिमिटेड द्वारा विनाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोग का अधिकार अंजित करना आवश्यक है।

1	2	3	4	1	2	3	4		
कालीमती	56	0	16	11	खुनिया—जारी	56	0	04	70
	58	0	15	39		74	0	45	63
	59	0	19	35		76	0	01	25
	60	0	32	87		77	0	13	58
	63/2	0	03	78		80	0	11	63
	62	0	08	28		81	0	27	72
	83	0	06	03	किंदोलर	149	0	01	44
	84	0	13	05		146	0	09	51
	85	0	10	80		145	0	18	09
	88	0	10	62		143	0	14	58
	87	0	19	44		125	0	12	60
धनपुरा	56/1	0	00	10		119	0	16	20
	64	0	10	17		127	0	12	15
	63	0	08	38		117	0	25	47
	62	0	08	55		107	0	09	88
	60	0	18	90		102	0	20	07
	50	0	34	02		100	0	38	67
	40/1	0	29	05		99	0	21	81
	40/2	0	25	94	अमीरगढ़	28/2	0	38	25
	48	0	04	16		26	1	68	39
	41	0	16	22		14	0	18	40
	39/1	0	18	90	दुगरपुरा	7	1	12	00
	39/2	0	01	44		8/42			
	38	0	20	39		9/43	0	21	28
	37/1	0	13	83		8/44	0	22	95
	37/2	0	01	76		9/45	0	21	92
	35	0	17	68		8/46	0	19	36
	34	0	00	32		8/47	0	17	44
	26	0	19	80	अपलोवंध	137	0	09	27
	25	0	09	25		138	0	15	20
	23	0	00	72	निकलोवंध	36	0	08	00
	20	0	33	12		51	0	04	16
	22	0	00	20		52	0	13	60
	21	0	10	33		55	0	40	64
	19	0	22	23	अथल	274	0	08	00
	18	0	10	80		265	0	43	93
जोरापुरा (अमीरगढ़)	29/पी०	0	15	39		267	0	01	60
	26	0	00	56		266	0	11	01
	25	0	08	00		238	0	26	82
	22	0	11	16		239	0	15	68
	21	0	04	32		227	0	22	40
	20	0	06	72		225	0	30	40
	15	0	11	52					
	14	0	09	92					
	13	0	08	80					
	9	0	26	56					
	11	0	30	88					
खुनिया	14	0	24	03					
	15	0	17	19					
	16	0	12	64					
	17	0	00	88					
	18	0	20	70					
	20/1	0	10	71					
	21	0	03	96					
	28	0	02	08					

[सं. 12020/6/76-एन एन/III]

S.O. 96.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of Use in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali/Mathura Pipeline Project, "Morvi House" Jamnagar Road, Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Taluk : Palanpur District : Banaskantha Gujarat State

Village	Survey No.	Extent	
		H. A.	Sq. M.
1	2	3	4
Dholia	213	0	14 13
	219	0	05 22
	220	0	23 71
	228	0	23 60
	226	0	01 14
	199	0	19 98
	241	0	24 21
	243/1	0	08 37
	243/2	0	18 99
	244	0	13 77
	246	0	08 46
	247	0	08 77
	249	0	07 63
	248/2	0	02 72
	250	0	00 08
	251	0	17 64
	252	0	10 57
	253	0	15 48
	254	0	02 52
	264	0	14 13
	263	0	18 58
	266	0	02 88
	272	0	23 31
	271	0	28 80
	274	0	10 71
	276	0	18 27
	277	0	15 39
	282/1	0	01 60
	278	0	19 46
	279	0	09 45
	278 B	0	04 35
	278 A	0	14 20
	282/1 A	0	01 35
	282/1B	0	01 00
	279	0	09 45
Kalimati	56	0	16 11
	58	0	15 39
	59	0	19 35
	60	0	32 87
	63/2	0	03 78
	62	0	08 28
	83	0	06 03
	84	0	13 05

	1	2	3	4
Kalimati—contd.	85		0 10	80
	88		0 10	62
	87		0 19	44
Dhanpura	56/1		0 00	10
	64		0 10	17
	63		0 08	38
	62		0 08	55
	60		0 18	90
	50		0 34	02
	40/1		0 29	05
	40/2		0 25	94
	48		0 04	16
	41		0 16	22
	39/1		0 18	90
	39/2		0 01	44
	38		0 20	39
	37/1		0 13	83
	37/2		0 01	76
	35		0 17	68
	34		0 00	32
	26		0 19	80
	25		0 09	25
	23		0 00	72
	20		0 33	12
	22		0 00	20
	21		0 10	33
	19		0 22	23
	18		0 10	80
Jorapura (Amirgadh)	29/P		0 15	39
	26		0 00	56
	25		0 08	00
	22		0 11	16
	21		0 04	32
	20		0 06	72
	15		0 11	52
	14		0 09	92
	13		0 08	80
	9		0 26	36
	11		0 30	88
Khundia	14		0 24	03
	15		0 17	19
	16		0 12	64
	17		0 00	88
	18		0 20	70
	20/1		0 10	71
	21		0 03	96
	28		0 02	08
	56		0 04	70
	74		0 45	63
	76		0 01	25
	77		0 13	58
	80		0 11	63
	81		0 27	72
Kidotar	149		0 01	44
	146		0 09	51
	145		0 18	09
	143		0 14	58
	125		0 12	60
	119		0 16	20

1	2	3	उम्मीद भूमि में हितवद्ध कोई व्यक्ति, उम्मीद भूमि के नीचे पाइपलाइन बिछाने के लिए आंशिक सकाम प्राधिकारी, भारतीय तेल निगम लिमिटेड मालाया-कोयाली/मधुरा पाइपलाइन प्रोजेक्ट मोरबी शाऊस, जाम नगर रोड राजकोट को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।				
				ऐसा भ्राष्टोप करने वाला हर व्यक्ति विनिविष्टः यह भी कथन करेगा कि क्या वह मह चाहता है कि उम्मीद सुनवाई अधिकारी हो या किसी विधि अवसायी की सार्वतंत्र।			
				अनुसूची			
Kildatar (contd.)	127	0	12	15	तालूका	जिला	गुजरात राज्य
	117	0	25	47	गांव	बदगम	बनसकन्था
	107	0	09	88			गुजरात राज्य
	102	0	20	07			ग्राम
	100	0	38	67			पंच
	99	0	21	81			ए.
Amirgadh	28/2	0	38	25			वंग
	26	1	68	39			मीटर
	14	0	18	40			
Dungarpura	7	1	12	00			
	8	0	21	28			
	—						
	42						
	8	0	22	95			
	43				तेलीवाड़ा	178/8	0 03 20
	8					178/7	0 05 12
	—					178/6	0 20 28
	44	0	21	92		178/5	0 05 00
	8					178/3	0 19 20
	—					178/2	0 10 40
	45					178/1	0 12 80
	8					177	0 30 00
	—	0	19	36		176/1	0 12 32
	46					175/1	0 14 08
	8					172/4	0 09 12
	—	0	17	44		172/3	0 09 64
	47					172/2	0 04 32
Uplobandh	137	0	09	27		172/1	0 00 40
	138	0	15	20		171/1/भी	0 05 44
Nichlobandh	36	0	08	00		171/1/ए	0 08 80
	51	0	04	16		170/1/भी	0 12 00
	52	0	13	60		170/1/ए	0 2 24
	55	0	40	64		169/1	0 00 32
Awal	274	0	08	00		168/2	0 11 52
	265	0	43	93		168/1	0 08 16
	267	0	01	60		165/2	0 14 56
	266	0	11	04		164/1	0 13 44
	238	0	26	82		163/4	0 07 52
	239	0	15	68		162/1	0 04 16
	227	0	22	40		162/3	0 06 72
	225	0	30	40		163/3	0 01 60
						155/4	0 17 28
						155/3	0 12 32
						155/2	0 03 52
						150	0 14 40
						149	0 20 00
						116	0 19 68
						115	0 08 96
						114/2	0 01 32
						114/3	0 00 56
						117/1	0 07 20
						119/3	0 17 28
						122/8	0 07 92
						122/3	0 00 24
						122/4	0 05 60
						124/1/भी	0 03 52

[No. 12020/6/76-L & L/III]

का० आ० ७७.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सभाया पत्तन से उत्तर प्रदेश में मधुरा तक ऐंटोलियम के परिवहन के लिए पाइपलाइन भारतीय तेल निगम लिमिटेड द्वारा बिछाई जानी चाहिए।

अन्य यतः यह प्रतीत होता है कि ऐसी लाइंसों की बिछाने के प्रयोजन के लिए ऐंटोपायद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करने वाला आवश्यक है।

यतः अब ऐंटोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का प्रार्जन) अधिनियम 1962 (1962 का 50) की बारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय ऐंटोपायद्ध बोलित किया है।

1	2	3	1	2	3
तेवीवदा (जारी)	124/1/ए 124/2 129/1 128/3 1/2 1/1 7 8 9 10/1 10/2 275/1 275/2	0 04 96 0 08 48 0 21 92 0 00 56 0 10 40 0 23 20 0 14 72 0 00 52 0 13 60 0 06 56 0 06 72 0 27 00 0 03 84	छापी (जारी)	278/पी/वी 282 283 284 289 286 287/3 287/2 287/1 308 311/2 311/1 312/2 312/1 314/3 314/2 314/1	0 08 20 0 11 70 0 10 26 0 10 68 0 04 32 0 20 36 0 07 38 0 08 48 0 12 50 0 00 48 0 00 16 0 02 20 0 06 48 0 04 16 0 02 60 0 02 60 0 03 78
झाजोसना	17/ए 20/1 21/पी 23 51 53/पी 52 60/पी/ए 60/पी/वी 46 45 72 73 74/1 74/2 76/पी/ए 76/पी/वी	0 16 16 0 05 94 0 21 15 0 16 74 0 34 38 0 10 44 0 16 65 0 00 32 0 20 70 0 08 68 0 12 60 0 04 23 0 30 35 0 01 60 0 00 24 0 04 24 0 10 26	माही	235/4 235/3 235/2 235/1	0 01 32 0 17 72 0 06 48 0 10 44
छापी	166 165 167 258/2 168 257 256 255 254 248 253 250/2 250/1 249 251 242 239 275/पी/5 275/पी/4 275/पी/3 275/पी/2 275/पी/1 279 278/पी/ए	0 09 28 0 10 24 0 19 90 0 04 40 0 05 80 0 03 92 0 06 60 0 07 56 0 10 32 0 01 82 0 08 36 0 12 42 0 09 76 0 01 30 0 18 00 0 23 22 0 19 08 0 16 92 0 10 80 0 01 20 0 04 20 0 10 80 0 01 24 0 20 16	माजाधर	123/2/पी/ए 123/1 122 123/2/पी/ए 123/1 122 124 125/1 128/2 126/1 127/9 127/7 127/6 127/5 127/3 127/2 140/2 141/6 141/5 141/3 141/2 142/3 142/2 142/1 143 144/2 144/1 146/1 224 227/ए 227/वी 226/4	0 08 00 0 25 06 0 21 12 0 08 00 0 25 06 0 21 12 0 01 94 0 02 02 0 03 52 0 07 08 0 01 50 0 00 64 0 12 00 0 05 60 0 04 32 0 04 92 0 24 75 0 02 08 0 04 56 0 06 44 0 06 72 0 08 00 0 16 00 0 00 34 0 18 00 0 08 64 0 16 80 0 00 44 0 04 00 0 09 00 0 01 44 0 00 90

1	2	3
भाषावर (बारं)	226/3	0 06 40
	226/2	0 06 56
	226/1	0 06 72
	230	0 14 08
	231/ए	0 07 13
	231/वी	0 05 35
	234/2	0 00 10
	234/1	0 01 00
	232/3	0 13 60
	232/2	0 12 00
	233/3	0 02 04
	233/1	0 17 20
	247/1/पी/ए	0 13 90
	247/1/पी/वी	0 11 66
	248/1	0 02 25
	287/1	0 01 80
	286	0 14 40
	282/2	0 07 00
	283	0 00 12
	280/9	0 03 40
	280/8	0 08 18
	280/3	0 03 20
	280/2	0 08 00
	280/1	0 06 30
	278/1	0 06 08
	278	0 08 16
	277	0 00 40
	318/2	0 02 40
	319	0 09 44
	322/1	0 05 04
	324/1	0 04 68
	328	0 22 40
	329	0 14 85
	330	0 13 68
	331/1/ए	0 05 76
	331/1/वी	0 05 64
	331/2	0 11 20
	332	0 00 08
	342/1	0 18 00
	339	0 28 80
	340	0 26 88
भारकाबादा	235	0 03 20
	237	0 21 80
	238	0 13 50
तेलुर	30	0 00 86
	34	0 00 56
	36	0 30 32
	37	0 02 96
	38	0 18 00

Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali/Mathura Pipeline Project, "Morvi House" Jamnagar Road, Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Taluka : Vadgam District : Banaskantha, Gujarat State

Village	Survey No.	Extent		
		H.	A.	Sq.M.
1	2	3	4	5
Tenivada	178/8	0	03	20
	178/7	0	05	12
	178/6	0	20	28
	178/5	0	05	00
	178/3	0	19	20
	178/2	0	10	40
	178/1	0	12	80
	177	0	30	00
	176/1	0	12	32
	175/1	0	14	08
	172/4	0	09	12
	172/3	0	09	64
	172/2	0	04	32
	172/1	0	00	40
	171/1/B	0	05	44
	171/1/A	0	08	80
	170/1/B	0	12	00
	170/1/A	0	02	24
	169/1	0	00	32
	168/2	9	11	52
	168/1	0	08	16
	165/2	0	14	56
	164/1	0	13	44
	163/4	0	07	52
	162/1	0	04	16
	162/3	0	06	72
	163/3	0	01	60
	155/4	0	17	28
	155/3	0	12	32
	155/2	0	03	52
	150	0	14	40
	149	0	20	00
	116	0	19	68
	115	0	08	96
	114/2	0	01	32
	114/3	0	00	56
	117/1	0	07	20

[सं. 12020/6/76-एस एण्ड प्र/IV]

S.O. 97.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to

1	2	3	4	5	1	2	3	4	5
Tenivada (contd.)	119/3	0	17	28		275-P/3	0	01	20
	119/2	0	05	28		275-P/2	0	04	20
	118	0	04	00		275-P/1	0	10	80
	120/2	0	10	72		279	0	01	24
	121/2	0	01	12		278 P.A.	0	20	16
	121/1	0	08	00		278 P.B.	0	08	20
	122/9	0	06	40		282	0	11	70
	122/8	0	07	92		283	0	10	26
	122/3	0	00	24		284	0	10	68
	122/4	0	05	60		289	0	04	32
	124/1/B	0	03	52		287/3	0	07	38
	124/1/A	0	04	96		287/2	0	08	46
	124/2	0	08	48		287/1	0	12	50
	129/1	0	21	92		308	0	00	48
	128/3	0	00	56		311/2	0	00	16
	1/2	0	10	40		311/1	0	02	20
	1/1	0	23	20	Mahi	235/4	0	06	48
	7	0	14	72		235/3	0	04	16
	8	0	00	52		235/2	0	02	60
	9	0	13	60		235/1	0	03	78
	10/1	0	06	56					
	10/2	0	06	72	Majadar	123/2 P.A.	0	01	32
	275/1	0	27	00		123/1	0	17	72
	275/2	0	03	84		122	0	06	4
Rajosana	17/A	0	16	16		124	0	01	20
	20/1	0	05	94		125/1	0	02	02
	21. P	0	21	15		126/2	0	03	52
	23	0	16	74		126/1	0	07	08
	51	0	34	38		127/9	0	01	50
	53. P	0	10	44		127/7	0	00	64
	52.	0	16	65		127/6	0	12	00
	60.P.A.	0	00	32		127/5	0	05	60
	60.P.B.	0	20	70		127/3	0	04	32
	46	0	08	68		127/2	0	04	92
	45	0	12	60		140/2	0	24	75
	72	0	04	23		141/6	0	02	08
	73	0	30	35		141/5	0	04	56
	74/1	0	01	60		141/3	0	06	44
	74/2	0	00	24		141/2	0	06	72
	76.P.A.	0	04	24		142/3	0	03	00
	76.P.B.	0	10	26		142/2	0	16	00
Chhapi	166	0	09	28		142/1	0	00	34
	165	0	10	24		143	0	18	00
	167	0	19	90		144/2	0	03	64
	258/2	0	04	40		144/1	0	16	60
	168	0	05	80		146/1	0	00	44
	257	0	03	92		224	0	04	00
	256	0	06	60		227/A	0	09	00
	255	0	07	56		227/B	0	01	44
	254	0	10	32		226/4	0	03	90
	248	0	01	82		226/3	0	05	40
	253	0	08	36		226/2	0	05	56
	250/2	0	12	42		226/1	0	06	72
	250/1	0	09	76		230	0	14	08
	249	0	01	30		231/A	0	07	13
	251	0	18	00		231/B	0	05	35
	242	0	23	22		234/2	0	00	10
	239	0	19	08		234/1	0	01	00
	275-P/5	0	16	92		232/3	0	13	60
	275-P/4	0	10	80		232/2	0	12	00

1	2	3	4	5
Majadar (contd.)	233/3	0	02	04
	233/1	0	17	20
	247/1-P-A	0	13	90
	247/1-P-B	0	11	66
	248/1	0	02	25
	287/1	0	01	80
	286	0	14	40
	282/2	0	07	00
	283	0	00	12
	280/9	0	03	40
	280/8	0	00	18
	280/5	0	03	20
	280/2	0	08	00
	280/1	0	06	30
	279/1	0	06	08
	278	0	08	16
	277	0	00	40
	318/2	0	02	40
	319	0	09	44
	322/1	0	05	04
	324/1	0	04	68
	328	0	22	40
	329	0	14	85
	330	0	13	68
	331/1-A	0	05	76
	331/1-B	0	05	64
	331/2	0	11	20
	332	0	00	08
	342/1	0	18	00
	339	0	28	80
	340	0	20	88
Bharkawada	235	0	03	20
	237	0	21	80
	238	0	13	50
Sherpura	30	0	00	86
	34	0	00	56
	36	0	30	32
	37	0	02	96
	38	0	18	00

[No. 12020/6/76-L & L/IV]

मई विस्तो, 9 विसम्बर, 1976

का० आ० 98.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि भ्रसम के शिवसागर जिले में रुद्र सागर जी० जी० एस० से लकड़ा जीप तक के बीच पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन तेल एवं प्राकृतिक जी० एस० गैस आयोग द्वारा विभाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाध्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का प्राप्तन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शर्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आयोग एतदुपाध्य विभिन्न किया है;

उक्त भूमि में हिनबद्ध कोई उस भूमि के नीचे पाइप लाइन बिछाने के लिए प्राकृतिक उप-मर्जन अधिकारी शिवसागर भ्रसम के कार्यालय में इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

ऐसा अक्षेप करने वाला हर व्यक्ति वित्तिदल्ल यह भी कथन करेगा कि वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

रुद्रसागर जी० जी० एस० से लकड़ा जी० जी० एस० तक की पाइप लाइन

राज्य : असम	जिला : शिवसागर	तालुक : बेटबारी		
प्राम	सर्वे नम्बर	त्रिकटर	पेरे	मेन्डी
डिमुद्वाल गाँव	702 ख	0	0	94
	679 ख	0	1	34
	678 ख	0	0	67
	400 ख	0	1	74
	401	0	4	55

[सं० 12020/12/76-प्रोडक्शन]

New Delhi, the 9th December, 1976

S. O. 98.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Rudrasagar GGS to Lakwa GGS in Sibsagar Dist., Assam, Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, viz. the Sub-Divisional Officer, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from Rudrasagar GGS to Lakwa GGS
State : Assam District : Sibsagar Taluk : Betbiri.

Village	Survey No.	Hectare	Acre	Centi-are
Demowal Gaon	702 Kha	0	0	94
	679 Kha	0	1	34
	678 Kha	0	0	67
	400 Kha	0	1	74
	401	0	4	55

[No. 12020/12/76-Prod.]

का० आ० 99.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सलाया पत्तन से उत्तर प्रदेश में भयुरा तक पेट्रोलियम के परिवहन के लिए पाइपलाइन द्वारा विभाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोग के लिए एन्ट्रुपावड़ अनुसूची में शर्तित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः प्रब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जित) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन्ट्रुपावड़ घोषित किया है।

उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप ममता प्राधिकारी, भारतीय तेल निगम लिमिटेड, मसाया-कोयाली/मथुरा पाइपलाइन प्रोजेक्ट, मोरक्की हाऊस जामनगर रोड, राजकोट को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

ऐसा आक्षेप करने वाला हर व्यक्ति विनियिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तियः हो या किसी विधि अवसायी की मार्फत।

तालुकः खंभलिया		ज़िला : जामनगर		गुजरात राज्य	
गांव	क्रम सं० /स्थान	क्रम सं० /स्थान	विस्तार		
1	2	3	4	5	है
वाडिनार	118 वाडिनार	0	16	05	
	नमक बर्केस लैंड	3	77	10	
	नरारा बेट लैंड	0	01	50	

[मो 12020/7/76-एस एण्ड एल]

S.O. 99.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Salaya Port in Gujarat to Mathura in Uttar Pradesh Pipelines should be laid by the Indian Oil Corporation Limited.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Indian Oil Corporation Limited, Salaya-Koyali/Mathura Pipeline Project, "Morvi House" Jamnagar Road, Rajkot.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Taluka : Khambhalia		Dist.ict : Jamnagar		Gujarat	State
Village	S No./Locality	Extent			
		H.	A.	Sq. M.	
1	2	3	4	5	
Vadinar	118 Vadinar Salt Works Land Narara Bet Land	0	16	05	
		3	77	10	
		0	01	50	

[No. 12020/7/76-L & L]

नई विस्ती, 10 दिसम्बर, 1976

का० 100.—यसः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि भ्रस्त के शिवमानगर के जिते में गलकी से जोरखाट तक के बीच पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन लेने एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी आविष्ट।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोग के लिए एन्ट्रुपावड़ अनुसूची में शर्तित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यस पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जित) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन्ट्रुपावड़ घोषित किया है।

उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप उपमण्डल अधिकारी शिवमानगर भ्रस्त के कार्यालय में इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

ऐसा आक्षेप करने वाला हर व्यक्ति विनियिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि अवसायी की मार्फत।

गलकी-जोरखाट लैंड पाइप लाइन		ज़िला : शिवमानगर		तालुकः गधुली बजार	
प्राम	सर्वे नम्बर	हेक्टर	एरे	सेटी-	एरे
1	2	3	4	5	
खमीकर गांव	50 वा	0	67		
	56 वा	1	34		
	706 वा	2	41		
	361 वा	1	34		
	685 वा	3	21		
	631 वा	0	54		
	632 वा	0	13		
	362 वा	0	54		
	917 वा	1	07		
	62 वा	1	61		
	60 वा	1	61		
	680 वा	26	09		
	58 वा	1	07		
	66 वा	2	01		
	59 वा	3	61		
	75 वा				
	75 वा	4	01		
	76 वा	0	27		
	710 वा	6	58		
	684 वा	1	87		
	711 वा	3	75		
	80 वा	0	54		
	702 वा	5	22		
	69 वा	1	34		
	83 वा	0	13		
	52 वा	2	94		
	67 वा	2	94		
	46 वा	1	07		
	629 वा	3	34		
	63 वा	1	61		

1	2	3	4	5
खनीकर गाँव	57 घ.	2	94	
	81 घ.	9	23	
	626 घ.	3	34	
	703 घ.	0	27	
	707 घ.	3	89	
	705 घ.	3	61	
	358 घ.	7	22	
	360 घ.	5	08	
	371 घ.	0	54	
	370 घ.	6	69	
	627 घ.	7	63	
	357 घ.	4	82	
	53 घ.	5	35	
	369 घ.	0	27	
	630 घ.	0	80	
	687 घ.	4	41	
	694 घ.	0	94	
	64 घ.	1	61	
	635 घ.	3	21	
	368 घ.	7	76	

[सं. 12020/10/76-प्र०-II]

टी० पी० सुब्रह्मण्यम, अधिकारी सचिव

New Delhi, the 10th December, 1976

S.O. 100.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Geleki to Jorhat in Sibsagar Dist., Assam Pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed here to :

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of Use in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, viz, the Sub-Divisional Officer, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Geleki-Jorhat Trunk-Pipeline

State : Assam District : Sibsagar Taluk : Godhuli Bazaar

Village	Survey No.	Hec-tor	Acre	Centi-are
1	2	3	4	5
Khonikor Gaon	50 Kha	—	0	67
	56 Kha	—	1	34
	706 Kha	—	2	41
	361 Kha	—	1	34
	685 Kha	—	3	21
	631 Kha	—	0	54
	632 Kha	—	0	13
	362 Kha	—	0	54
	917 Kha	—	1	07
	62 Kha	—	1	61
	60 Kha	—	1	61

1	2	3	4	5
680 Kha	—	26	09	
58 Kha	—	1	07	
66 Kha	—	2	01	
59 Kha	—	3	61	
75 Kha	—	4	01	
75 Gh	—	0	27	
76 Kha	—	6	56	
710 Kha	—	1	87	
684 Kha	—	3	75	
711 Kha	—	0	54	
80 Kha	—	5	22	
702 Kha	—	1	34	
69 Kha	—	0	13	
83 Kha	—	2	94	
52 Kha	—	2	94	
67 Kha	—	1	27	
46 Kha	—	1	07	
629 Kha	—	3	34	
63 Kha	—	1	61	
57 Kha	—	2	94	
81 Kha	—	9	23	
626 Kha	—	3	34	
703 Kha	—	0	27	
707 Kha	—	5	89	
705 Kha	—	3	61	
358 Kha	—	7	22	
360 Kha	—	5	08	
371 Kha	—	0	54	
370 Kha	—	6	69	
627 Kha	—	7	63	
357 Kha	—	4	82	
53 Kha	—	5	35	
369 Kha	—	0	27	
630 Kha	—	0	80	
687 Kha	—	4	41	
694 Kha	—	0	94	
64 Kha	—	1	61	
635 Kha	—	3	21	
368 Kha	—	7	76	

[No. 12020/10/76-Prod II]

T. P. SUBRAHMANYAN, Under Secy.

इस्पात और खान भवान

(खान विभाग)

नई दिल्ली, 24 दिसम्बर, 1976

का० आ० 101 —यह केन्द्रीय सरकार की राय में भारत में खनिजों के संरक्षण और विकास के लिए यह ग्राहक स्थानिक विभाग के उन विनियिष्ट भूमियों में या के प्रत्यार्थी उपलब्ध खनिजों के संबंध में जिनके लिए गोपा, वस्त और वीथ, की सरकार द्वारा खनन पट्टे मंदूर किए गए हैं यथा सबव उपयुक्त जानकारी एकल की जाए :—

अब, भव खान और खनिज (विनियमन और विकास) प्रधिनियम 1957 (1957 का 67) के बांड 18ए के उप खंड (1) द्वारा प्रवत्त भूमियों का प्रयोग करते हुए केन्द्रीय सरकार गोपा, वस्त और वीथ सरकार से परामर्श के बाद, जैसा कि उक्त खंड 18ए के उपखंड (1) के परस्तु द्वारा घोषित है, भारतीय भूविज्ञान सर्वेक्षण को कठित सारणी में विनियिष्ट भूमि के संबंध में उक्त जानकारी प्राप्त करते हुए इस से जो

भी आवश्यक हो, एन्ड्रेसारा, व्यापक ब्रोज कार्य के लिए प्राधिकृत करती है।

सारणी

क्रम सं.	भूमियों का व्योग	पट्टाधारी का नाम
1.	खनन पट्टा संख्या 44 दिनांक 6-12-1974 में शामिल गोआ में विचोलिम तालुका, नानोरा के निकट विरडी खान खड़ में 98.86 हेक्टेयर भूमि	एम् कान्तीलाल एड
2.	खनन पट्टा संख्या 17 दिनांक 9-5-1959 में शामिल गोआ में गंटाकर्चे डोंगर विचोलिम तालुका गोआ में 50.30 हेक्टेयर भूमि।	श्री जगन्नाथ सी० प्रभु
3.	खनन पट्टा संख्या 72 दिनांक 10-8-1953 में शामिल गोआ में गंटाकर्चे डोंगर, विचोलिम तालुका में 62.90 हेक्टेयर भूमि।	मायुसा गोआ में वैश्वर।
4.	खनन पट्टा संख्या 28 दिनांक 24-4-1953 में शामिल गोआ में विचोलिम तालुका विचोलिम तालुका, गोआ में 72.00 हेक्टेयर भूमि।	श्री मन्तराम एन० जेट्टी,
5.	खनन पट्टा संख्या 99 दिनांक 5-12-1952 में शामिल गोआ मर्वेश्वर धेत्र में महागांव विचोलिम तालुका, गोआ में 99.97 हेक्टेयर भूमि।	श्री गंगाधर नरमिहदास अग्रवाल, महागांव गोआ।
6.	खनन पट्टा संख्या 94 दिनांक 13-11-1952 में शामिल विचोलिम गोआ में 32.75 हेक्टेयर भूमि।	श्री मैनुअल कैटीमो पाहिडे पांचको, विचोलिम, गोआ।
7.	खनन पट्टा संख्या 29 दिनांक 24-4-1953 में शामिल सर्वता धेत्र, विचोलिम तालुका गोआ में 78.46 हेक्टेयर भूमि।	श्री नारायण गनेश प्रभु जैन्टी, गोआ।
8.	खनन पट्टा संख्या 11 दिनांक 4-2-1952 में शामिल दुधबुबा धेत्र में विचोलिम तालुका, गोआ में 50.12 हेक्टेयर भूमि।	श्री दामोदर मंगलजी वैश्वर, गोआ।

[फाइल सं० 1(45)/76-ग्रान 6]
आर० के० नायक, उप-सचिव

MINISTRY OF STEEL AND MINES
(Department of Mines)

New Delhi, the 24th December, 1976

S.O. 101.—Whereas the Central Government is of opinion that for the conservation and development of minerals in India, it is necessary to collect as precise information as possible with regard to any mineral available in or under the lands specified in the Table below in relation to which mining leases have been granted by the Government of Goa, Daman and Diu;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of section 18A of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of Goa, Daman and Diu as required by the proviso to sub-section (1) of the said Section 18A, hereby authorises the Geological Survey of India to carry out such detailed investigations for the purpose of obtaining such information as may be necessary in relation to the lands specified in the said Table.

THE TABLE

S. No.	Details of lands	Name of the lessee
1.	Lands measuring 98.86 hectares in the Virdi Min. block, near Nanora, Bicholim Taluk, Goa, included in the mining lease No. 44, dated 6-12-1974.	Messrs S. Kantilal and Company, Madgao, Goa.
2.	Lands measuring 50.30 hectares in the Gantacarch Dongar, Bicholim Taluk, Goa, included in the mining lease no. 17, dated 9-5-1959.	Shri Jagannath C. Prabhu, Member of Mapusa, Goa.
3.	Lands measuring 62.90 hectares in the Gantacarche Dongar, Bicholim Taluk, Goa, included in the mining lease No. 72, dated 10-8-1953.	Shri Jagannath C. Prabhu, Member of Mapusa, Goa.
4.	Lands measuring 72.00 hectares in the Bicholim Taluk, Goa, included in the mining lease No. 28, dated 24-4-1953.	Shri Santaram N. Zantie, Bicholim Taluk, Goa.
5.	Lands measuring 99.97 hectares in Madgao in the Goa Sarvena area, Bicholim Taluk, Goa included in the mining lease No. 99, dated 5-12-1952.	Shri Gangadhar Nar singadas Aggarwal, Madgao, Goa.
6.	Lands measuring 32.75 hectares in Bicholim, Goa included in the mining lease No. 94, dated 13-11-1952.	Shri Manuel Caetano Piedade Pacheco, Bicholim, Goa.
7.	Lands measuring 78.46 hectares in Sarvena area, Bicholim Taluk, Goa, included in the mining lease No. 29 dated 24-4-1953.	Shri Narayan Ganesh Prabhu-Zantie, Goa.
8.	Lands measuring 50.12 hectares in Dabdaba area, Bicholim Taluk, Goa, included in the mining lease No. 11, dated 4-2-1952.	Messrs Damodar Mangalji, Madgao, Goa.

[File No. 1(45)/76-M.VI]

R. K. NAYAK Dy., Secy.

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

आवेदन

नई विल्सी, 20 दिसम्बर, 1976

S.O. 102.—यम् भारत सरकार के भूत्तर्वर्ष स्वास्थ्य मंत्रालय की 23 जुलाई, 62 की अधिसूचना संख्या 16-44/61-एम० आई० द्वारा केन्द्रीय सरकार ने निर्देश दिया है कि भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) के प्रयोगनों के लिए एम्सटडैम विश्वविद्यालय, नीदरलैण्ड द्वारा प्रदत्त 'आर्टसेसमैन', एम्स्टडैम विश्वविद्यालय एक मान्य चिकित्सा प्राप्ति होगी,

और यह: श्रा० (कुमारी) एच० क्लेन्जर, जिनके पास उपर्युक्त प्रदर्शन है, शिक्षण तथा धर्मार्थ कार्य के प्रयोगजनों के लिए फिलहाल जालना मिशन प्रस्तावल, पूना क्रिप्चियन मेडिकल एसोशिएशन, जालना, जिना औरंगाबाद (महाराष्ट्र) के साथ सम्बद्ध हैं,

अतः अब उक्त प्रधिनियम की धारा 14 की उपधारा (1) के परस्पर के भाग (ग) का पालन करने हुए केन्द्रीय सरकार एवंद्वारा—

(1) सरकारी राजपत्र में इस आदेश के प्रकाशित होने की तारीख से वो वर्ष की ओर आगे की अवधि, अधिक

(2) उम अवधि को जब तक श्रा० (कुमारी) एच० क्लेन्जर जालना मिशन प्रस्तावल, पूना क्रिप्चियन मेडिकल एसोशिएशन, जालना, जिना औरंगाबाद (महाराष्ट्र) के साथ सम्बद्ध हैं, जो की कम हो, वह अवधि विनिविष्ट करती है, जिसमें पूर्वोक्त डाक्टर प्रैक्टिस कर सकेंगे।

[सं० वी 11016/17/76-एम० पी० टी०]
एस० श्रीनिवासन, उप-सचिव

MINISTRY OF HEALTH & FAMILY PLANNING

(Department of Health)

ORDER

New Delhi, the 20th December, 1976

S.O. 102.—Whereas by the notification of the Government of India in the Late Ministry of Health No. 16-44/61-MI, dated the 23rd July, 1962, the Central Government has directed that the Medical qualifications, "Artsexamen, University of Amsterdam" granted by the University of Amsterdam, Netherlands shall be a recognised medical qualification for the purposes of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas D. (Miss) H. Kreuger who possesses the said qualification is for the time-being attached to the Jalna Mission Hospital of the Poona Christian Medical Association, Jalna, District Aurangabad (Maharashtra) for the purposes of teaching and Charitable work;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- a further period of two years from the date of publication of this order in the Official Gazette, or
- the period during, which Dr. H. Kreuger is attached to the said Jalna Mission Hospital of the Poona Christian Medical Association, Jalna, District Aurangabad (Maharashtra), whichever is shorter, as the period to which the Medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/17/76-MPT]
S. SRINIVASAN, Dy. Secy.

कृषि और सिक्काई मंत्रालय

(खाता विभाग)

नई दिल्ली, 14 दिसम्बर 1976

ग्रुहि पत्र

का० आ० 103.—इस विभाग के 11 अक्टूबर, 1972 के आदेश मं० 52/21/68-प्रा० ई० 1 में निम्नलिखित शुद्धियों की जाएँ :—

प्रावेश में क्रम संख्या विवरण में की जाने वाली शुद्धियाँ

1

2

224	कालम 2 में श्री एच० सी० गुरुभजानी के स्थान पर "श्री एच० सी० गुरुभजानी" पढ़ें।
472	कालम 2 में श्री वी० एल० कुलकर्णी के स्थान पर "श्री भास्कर राव कुलकर्णी" पढ़ें।

1	2
609	कालम 3 में वही के स्थान पर "वरिष्ठ गोदाम रक्षक" पढ़ें।
610	कालम 3 में वही के स्थान पर "कनिष्ठ गोदाम रक्षक" पढ़ें।
762	कालम 2 में श्री एम० एम० रस्कोर के स्थान पर "श्री एम० एम० रस्कर" पढ़ें।
969	कालम 2 में श्री पी० वी० शिव के स्थान पर "श्री पी० वी० अहिरम" पढ़ें।
1003	कालम 2 में श्री एम० क० शाहनी के स्थान पर "श्री एस० एफ० शाहनी" पढ़ें।
1159	कालम 4 में वही के स्थान पर "वरिष्ठ स्टेनोग्राफर" पढ़ें।
1160	कालम 2 में श्रीमती अन्नामा नारायण के स्थान पर "श्रीमती अन्नामा नैनन" पढ़ें।

[सं० 52/22/74-एफ० सी० 3(आल्यूम 6)]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Food)

New Delhi, the 14th December, 1976.

CORRIGENDUM

S.O. 103.—In this Department Order No. 52/21/68-R.E.I dated 11-10-1972 the following corrections shall be carried out.

S. No. in the Order Correction to be carried out in the statement.

224	For the words "Shri H. C. Gurubhazani" in column 2, read "Shri H. C. Gurbaxani".
472	For the words "Shri B. L. Kulkarni" in column 2, read "Shri Bhaskar Rao Kulkarni".
609	For the word "Do" in column 3, read "Senior Godown Keeper".
610	For the word "Do" in column 3, read "Junior Godown Keeper".
762	For the words "Shri M. S. Raskor" in column 2, read "Shri M. S. Raskar".
969	For the words "Shri P. B. Shive" in column 2, read "Shri P. B. Ahire".
1003	For the words "Shri S. K. Shahani" in column 2, read "Shri S. F. Shahani".
1159	For the word "Do" in column 4, read "Senior Stenographer".
1160	For the words "Mrs. Annama Narain" in column 2, read "Mrs. Anamma Nainan".

[No. 52/22/74-FC-III (Vol. VI)]

आदेश

नई दिल्ली 15 दिसम्बर, 1976

का० आ० 104.—प्रतः केन्द्रीय सरकार ने खाता विभाग, क्षेत्रीय खाता निवेशालयों उपालि निवेशालयों और खाता विभाग के वेतन तथा लेखा कार्यालयों द्वारा किए जाने वाले खात्यालयों के क्रम भण्डारकरण, संचलन, परिवहन, वितरण तथा विक्रय के हृत्यों का पालन करना बन्द कर दिया है जोकि खाता निगम अधिनियम, 1964 (1964 का 37) की धारा 13 के अधीन भारतीय खाता निगम के हृत्य है।

और अन् खाद्य विभाग, अंतर्राष्ट्रीय खाद्य निदेशालयों, उपाधित निदेशालयों और खाद्य विभाग के बेतन तथा लेखा कार्यालयों में कार्य कर रहे और उपरिवर्णित कार्यों के पालन में लगे निम्नलिखित अधिकारियों और कर्मचारियों ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1971 के परिपत्र के प्रत्युत्तर में उसमें विनिर्दिष्ट तारीख के अन्दर भारतीय खाद्य नियम के कमेंटारी न बनने के अपने आशय को उक्त अधिनियम भी धारा 12 ए की उपधारा (1) के परन्तुक द्वारा यथा अंतर्क्षत सूचना नहीं दी है।

अत ब्रह्म खाद्य नियम अधिनियम, 1964 (1964 का 37), यथा अद्यतन समाप्ति, की धारा 12 ए द्वारा प्रदत्त शक्तियों वा प्रयोग करते हुए केन्द्रीय सरकार एन्डहारा निम्नलिखित कर्मचारियों को प्रत्येक के मामते वो गई तारीख से भारतीय खाद्य नियम में स्थानान्तरित करती है।

कर्म अधिकारी/ केन्द्रीय सरकार स्थानान्तरण के भारतीय खाद्य सूचनाओं का के अधीन किस समय बेंचरीय नियम को का नाम पद पर स्थायी है गरमार के प्रधीन स्थानान्तरण की किस पद पर ये तारीख	1	2	3	4	5
1	2	3	4	5	
1 श्री चमन लाल अवर श्रेणी लिपिक उच्च श्रेणी लिपिक [मा० 52/4/71-एफ० सी० 3 (खण्ड 5)] बक्षी राम, उप-सचिव	7-12-70				
[मा० 52/4/71-एफ० सी० 3 (खण्ड 5)]					

ORDER

New Delhi, the 15th December, 1976

S O 104.—WHEREAS the Central Government has caused to perform the functions of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, the Regional Directors of F.C.D., the Procurement Directorates and the Pay & Accounts Offices of the Department of Food which under Section 12 of the Food

Corporations Act, 1964 (37 of 1964) are the functions of the Food Corporation of India;

AND WHEREAS the following officers and employees serving in the Department of Food, the Regional Directors of Food, the Procurement Directorates and in Pay & Accounts offices of the Department of Food and engaged in the performance of the functions mentioned above have not, in response to the Circular of the Central Government dated the 16th April, 1971 intimated, within the date specified therein, their intention of not becoming employees of the Food Corporation of India as required by the proviso to sub-section (1) of section 12A of the said Act,

NOW, THEREFORE, in exercise of the powers conferred by Section 12A of the Food Corporations Act, 1964 (37 of 1964) as amended upto date the Central Government hereby transfers the following officers and employees to the Food Corporation of India with effect from the date mentioned against each of them.

Sl. No.	Name of the Officer/employees	Permanent post held under the Central Govt.	Post held under the Central Govt. at the time of transfer	Date of transfer to the F. C.I
1	2	3	4	5
1.	Shri Chaman Lal	L D C	U.D.C	7-12-70

[No. 52/4/71 FC III. (Vol. V)
BAKSHI RAM, Dy. Secy.

(हिन्दी विभाग)

नई दिल्ली, 22 दिसम्बर, 1976

का० आ० 105.—राष्ट्रपति संविधान के प्रत्युत्तर 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिल्ली चिह्निया घर (वर्ग 3 और वर्ग 4 पद) भर्ती नियम, 1960 से और संशोधन करने के सिए निम्नलिखित नियम बनाते हैं, अर्थात् —

- (1) इन नियमों का नाम दिल्ली चिह्निया घर (वर्ग 3 और वर्ग 4 पद) भर्ती नियम, 1976 है।
(2) ये राजपत्र में प्रकाशन की तारीख का प्रबृत्त होगे।
- दिल्ली चिह्निया घर (वर्ग 3 और वर्ग 4 पद) भर्ती नियम, 1960 में (जिसे इसके पश्चात् उक्त नियम कहा गया है) जहाँ-कही भी “वर्ग 3” और “वर्ग 1” शब्द आए हों उनके स्थान पर क्रमशः “समूह ग” और “समूह घ” शब्द रखे जाएंगे।
- उक्त नियमों की अनुसूची में मव 23 और उसमें सम्बन्धित प्रविधियों के स्थान पर निम्नलिखित मद और प्रविधियों रखी जाएंगी, अर्थात् —

1	2	3	4	5
23 चपरासी	समूह 'घ' अग्रजपत्रिका	196-3-120 द० रो०-३-२३२ र०	अवधारणा	18 से 25 वर्ष के द्वीप
6	7	8	9	10
भाष्यमिक स्फूल उत्तरीण	नहीं	2 वर्ष	75 प्रतिशत सीधी भर्ती द्वारा 25 एसे ज्ञानक्षमों, मालियों, चौकीवारों, लागू नहीं होता	गेगमैन, मालायक रखवालों, परिचारों, और रसोइयों के स्थानान्तरण द्वारा जो प्रारम्भिक रूप से साध्य हों और हिन्दी पढ़ने की योग्यता का सबूत दें, और जिन्होंने मूल काड़र में पांच वर्ष सेवा की हो।

[सा० 2-8/76-डी जेडी]
जगदीश चन्द्र, अवर सचिव

Department of Agriculture

New Delhi, the 22nd December, 1976

S.O. 105.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Delhi Zoological Park (Class III and Class IV Posts) Recruitment Rules, 1960, namely:—

1. (i) These rules may be called the Delhi Zoological Park (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1976.
- (ii) They shall come into force on the date of their publication in the official Gazette.
2. In the Delhi Zoological Park (Class III and Class IV Posts) Recruitment Rules, 1960 (hereinafter referred to as the said rules), for the words and figures "Class III" and "Class IV", wherever they occur, the words and letters "Group C" and "Group D" shall respectively be substituted.
3. In the Schedule to the said rules for item 23 and the entries relating thereto, the following item and entries shall be substituted, namely :—

1	2	3	4	5	6
23 Peons	Group 'D' Non-Gazetted	Rs. 196-3-220-EB-3-232	Non-Selection	Between 18—25 years	Middle School Standard Pass
7	8	9	10		11
No	2 years	75% by direct recruitment; 25% by transfer	Transfer from Sweepers, malis, chowkidars, gangman, assistant keepers, attendants and cooks who possess elementary literacy and give proof of ability to read in Hindi and have put in five years service in the parent cadre.	Not applicable	

[No. 2-8/76-DZP]

JAGDISH CHANDRA, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 15 विसम्बर, 1976

का० आ० 106.—बलचित्र अधिनियम, 1952 की धारा 3 की उपधारा (1) में प्रदत्त अधिकारों का प्रयोग करने हुए, केन्द्रीय सरकार एवं विद्युत व्यक्तियों को तत्काल में प्रगते आवेदन तक केन्द्रीय फिल्म मंत्रालय द्वारा शोर्ड का मद्दत्य नियुक्त करती है।—

- (1) श्रीमती एम० नसरुल्लाह
- (2) श्री डेविड अब्राहम

[फाइल संख्या 11/4/74-एफ० सी०]

सानुजित शोप, उप-मंत्रिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 15th December, 1976

S.O. 106.—In exercise of the powers conferred by subsection (1) of section 3 of the Cinematograph Act, 1952, the Central Government hereby appoints the following persons as members of the Board of Film Censors with immediate effect until further orders :—

1. Smt. M. Nasrullah.
2. Shri David Abraham.

[F. No. 11/4/74-FC]

S. GOOSE, Dy Secy.

निम्नाणि और आवास मंत्रालय

नई दिल्ली, 22 विसम्बर, 1976

का० आ० 107.—यह: केन्द्रीय सरकार का दिल्ली विकास अधिनियम 1957 की धारा 11(क) के प्रत्यर्गत विभिन्न आयोजना मण्डलों के प्रधीन विभिन्न क्षेत्रों के लिए दिल्ली की वृहत् योजना के शहरी दिल्ली के भू-उपयोग से उल्लिखित कुल रिहायशी चन्द्र भू-भूषण में कुछ संशोधन करने का प्रस्ताव है तथा दिल्ली विकास (वृहत् योजना तथा केन्द्रीय विकास योजना) नियमाबली 1959 के नियम 6 के प्रत्यर्गत 13 अक्टूबर, 1975 की अधिसूचना संख्या एफ०-3(154)/67-एम०पी० द्वारा उक्त अधिनियम की धारा 11(क) की उप-धारा (3) में अवैधित नोटिस की तारीख से 30 दिन के प्रत्यर्गत आक्षेपों और सुझाव को आमंत्रित करने के लिए प्रकाशित किया गया था;

और यह: केन्द्रीय सरकार ने भन्सूची में उल्लिखित उक्त संशोधन के सम्बन्ध में आक्षेपों और सुझावों पर विचार करने के पश्चात्, दिल्ली की वृहत् योजना में संशोधन करने का निष्ठय किया है।

अब, यह: उक्त अधिनियम की धारा 11(क) की उप-धारा (2) के द्वारा प्रदत्त व्यक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार दिल्ली की वृहत् योजना में उस तारीख से निम्नलिखित संशोधन करती है जिस तारीख को यह अधिसूचना भारत के राजपत्र में छोड़ी,

संशोधन.—

I. (i) पृष्ठ 22 (अप्रेजी) के वाहिनी और के स्थान के पैराप्राफ 3 पर "6 रिहायशी शेष" के स्थान पर निम्नलिखित पैराप्राफ होगा:—

"6 रिहायशी शेष":—

"योजना का मुख्य उद्देश्य स्वस्थ निवास हेतु संतुष्टि शहरी संरचना बनाना है तथा रिहायशी शेषों को सरकारी कार्यालयों, उद्योगों

तथा बाणिज्यिक क्षेत्रों में रोजगार के केन्द्रों के निकट रखना है ताकि आने जाने की दूरी कम से कम हो। इसे दृष्टि में रखने हुए, रिहायशी धनत्रय का अपेक्षाकृत अधिक युक्तिपूर्व पद्धति का प्रस्ताव है। कुछ केन्द्रीय क्षेत्रों में जहा धनत्रय वहूँ अधिक था, कुछ कम कर दिया गया है ताकि रहने के लिए ग्रन्था बानावण्ण दन में। चूंकि शहर का विस्तार अपनी बाहरी सीमा क्षेत्र की ओर हा रहा है, अन्य प्रशासित धनत्रय को अमबद्ध मान पर व्यवस्था की गई है ताकि भू-उपयोग के नक्शों में ध्यान में रखे गये खाके के अनुसार वडुयादिल/बहु केन्द्रीय धनत्रय प्रभावित हो।

(ii) पृष्ठ 24 पर बाये तरफ बाले कालम, पैरा 3 के स्थान पर निम्नलिखित पैरा लगाया जायेगा :—

“इन्हर रिग रोड और रिग रोड के बीच, वर्तमान धनत्रय लगभग 75 से 100 व्यक्ति प्रति एकड़ हैं तथा इसे इसी प्रकार रखा जाय। रिग रोड के दक्षिण में अदरपुर रोड तक 75 से 100 व्यक्ति प्रति एकड़ की पद्धति की भिन्नारिणी की जाती है। तथापि, कालका जी के नजदीक 100 में 150 व्यक्ति प्रति एकड़ के उच्चतर धनत्रय का प्रस्ताव किया गया है क्योंकि यह ओखला और्योगिक क्षेत्र के निकटस्थ है। मधुरा रोड के पश्चिम में फेन्ड्रम कालोरी में 25 व्यक्ति प्रति एकड़ का धनत्रय रखने का प्रस्ताव है जबकि मधुरा रोड के पूर्व में स्थित क्षेत्रों के लिए 30 व्यक्ति प्रति एकड़ के धनत्रय का प्रस्ताव किया गया है। ओखला सीवेज कार्म के दक्षिण में कोई रिहायशी विकास नहीं किया जाना चाहिए क्योंकि वहाँ रिहायशी क्षेत्र रखना आपत्तिजनक है।”

(iii) पृष्ठ 24 पर पैरा 2 में बाये तरफ बाले कालम, साईन 21 से आगे की लाइनों के स्थान पर निम्नलिखित लाइने रखी जाएंगी :—

“माल रोड के उत्तर तथा जी० टी० रोड के पूर्व में स्थित माली क्षेत्रों का राज्यीय राजमार्ग बाईं पास तक 100 व्यक्ति प्रति एकड़ के हिमाव रो विकास करने का प्रस्ताव है। इसके उत्तरी भाग में पारी इकठ्ठा होने की समस्यावान है तथा इसका विकास नालियों की पर्याप्त व्यवस्था करने के बावं हाँ किया जाना चाहिए।”

(iv) पृष्ठ 24 पर, बाये तरफ बाले कालम में पैरा 3 के स्थान पर निम्नलिखित पैरा आयेगा :—

“उत्तर-पश्चिम में, इस समय अधिकांश क्षेत्र ग्रामीण किस्म का है और उम्मे कुछ काम के घरोंवें हैं। यह प्रस्ताव है कि शहर के निकटस्थ क्षेत्रों का व्यापक विकास किया जाए क्योंकि वे क्षेत्र अत्यधिक जनसंचय वाली पुरानी दिल्ली से आर भास से ज्यादा दूर नहीं हैं और वहा भीड़-भाड़ कम करने में सहायक होती है। अत्था मुंज के नजदीक 150 व्यक्ति प्रति एकड़ का अनन्व और रिग रोड के दोनों ओर तथा प्रस्तावित नगरी-करण यार्य भूमियों की वाल्य परिधि तक और रोहतक व अस्त्राला को जाने वाली रेलवे लाइनों के साथ साथ 150 में 100 व्यक्ति प्रति एकड़ का धनत्रय रखने का प्रस्ताव है ताकि काम पर आने के लिए अधिकतम लोगों का कम से कम दूरी तय करनी पड़े। वर्तमान फल के अधिकांश बागों का डिस्ट्रिक्ट पार्कों के लिए रखा गया है तथा पर्लिक एंजिनियरों या महकारांतामा य व्यक्तियों द्वारा पट्टे के आधार पर फलों के बागों के रूप में सुरक्षित और अनुरक्षित किए जाएं यिन्हें लै-आउट प्लान तैयार करने गमय कला के वर्तमान बागों को यथासंभव स्थानीय

पार्कों के लिए जामिल किया जाए। चूंकि किसी पार्क में पेट उगाने में कही वर्ष लग जाने हैं, अन्य यह अधिकांश हैं कि इन पेटों का ग्रन्थांश से ग्रन्थांश किया जाये।”

(v) पृष्ठ 25 पर, बाये तरफ बाले कालम, पैरा 3 के स्थान पर निम्नलिखित पैरा आयेगा :—

“विल्मी-जयपुर रेलवे स्टेशन के पश्चिम तथा और्योगिक क्षेत्रों में 100 से 150 व्यक्ति प्रति एकड़ का धनत्रय है। नजरगढ़ रोड के भूमीपत्थ अधिक धनत्रय वाली साहरी सीमाओं के बाहर क्षेत्रों में भी 100 से 150 व्यक्ति प्रति एकड़ के धनत्रय का ही प्रस्ताव है।”

(vi) पृष्ठ 25 पर, दायी तरफ बाले कालम में पैरा 4, लाईन 27 व 28 के स्थान पर निम्नलिखित लाईन आयेगी :—

“यमुना के पार शाहदरा को लगभग 10 लाख जनसंख्या वाले एक पूर्ण नगर के रूप में विकसित करने का प्रस्ताव है।”

(vii) पृष्ठ 25 के बाईं तरफ के रथान के पैरा 2 के स्थान पर निम्नलिखित पैरा आयेगा :—

“प्रस्तावित और्योगिक तथा बाणिज्यिक क्षेत्रों के निकट दक्षिण शाहदरा में 125 से 150 तक के व्यक्तियों के उच्च धनत्रय का प्रस्ताव है। अन्य क्षेत्रों में उत्तर प्रदेश सीमा और उत्तरी राजपथ के उप पथ नक प्रति एकड़ 125 से 75 तक व्यक्तियों के धनत्रय का प्रस्ताव है। कार्य स्थानों से निकट सम्पर्क स्थापित करने के लिए तथा निम्न याय बागों के आवास के लिए अपेक्षाकृत अधिक धनत्रयों का प्रस्ताव है।”

(viii) दिल्ली की बहुत योजना के पृष्ठ 26 (अंग्रेजी) पर, “7-बिकास क्षेत्र” शीर्षक के क्षेत्र उल्लिखित 1981 तक प्रत्येक डिवीजन के रिहायशी क्षेत्रों तथा जनसंख्या की मारणी के स्थान पर निम्नलिखित सारणी रखी जाये :—

योजना माप्डल	1981 की प्रस्तावित जनसंख्या	रिहायशी क्षेत्र (एकड़)	
	1	2	3
कुल पुरानी दिल्ली	.	3,22,600	1,370
ज्ञ मिट्टी एक्स्प्रेसन	.	3,98,200	2,590
ग सिविल लाईन	.	3,87,695	3,480
नई दिल्ली	.	6,34,100	6,963
झ शाहदरा	.	9,69,570	7,890
घ दक्षिण दिल्ली	.	8,27,125	9,400
छ पश्चिम दिल्ली*	.	8,03,175	8,240
ज पश्चिम यमुना नहर अधिकारी उत्तर पश्चिम	.	9,20,485	7,460
कुल**		52,62,900	47,360

II. दिल्ली की बहुत योजना से सम्बन्ध शहरी दिल्ली के भू-उपयोग तक्षण में उल्लिखित उपर्युक्त योजना संडलों के विभिन्न क्षेत्रों के कुल रिहायशी धनत्रयों का संशोधन किया गया है जैसे कि इस अधिसूचना से सलग तक्षण में दर्शाया गया है।

MINISTRY OF WORKS AND HOUSING

New Delhi, the 22nd December, 1976

S.O. 107.—Whereas the Central Government propose to make certain modifications to the gross residential densities indicated in the Land Use Plan for Urban Delhi of the Master Plan for Delhi, for different zones under various planning divisions, under section II-A of the Delhi Development Act, 1957, and published in the manner as prescribed under rule 6 of the Delhi Development (Master Plan & Zonal Development Plan) Rules, 1959 vide Notice No. F. 3(154)/67-M. P. dated the 13th October, 1975, for inviting objections and suggestions within a period of 30 days from the date of notice as required by sub-section (3) of Section II-A of the said Act;

And whereas, the Central Government after considering the objections and suggestions with regard to the said modification mentioned in the Schedule, have decided to modify the Master Plan for Delhi;

Now, therefore, in exercise of the powers conferred by subsection (2) of Section II(A) of the said Act, the Central Government hereby makes the following modification to the Master Plan for Delhi with effect from the date of publication of this notification in the Gazette of India namely :—

Modifications

I. (i) On page 22, right-hand column, paragraph 3 on "6 Residential Areas" shall be substituted by the following paragraph :—

"6 Residential Areas :

The main objectives of the plan are to obtain a balanced city structure for healthy living and to relate residential areas to the centres of employment in government offices, industrial and commercial areas so that the journey to work and back is kept to the minimum. With this in view, a more rational pattern of residential is proposed. Densities have been lowered in some central areas where they were too high so as to provide better living environment. As the city extends towards its outer limits, the densities proposed have been provided on a graded scale to effectuate a poly-nodal/polycentric form envisaged in the Land Use Plan."

(ii) On page 24, left-hand column, paragraph 3 shall be substituted by the following paragraph :—

"Between the Inner Ring Road and the Ring Road, the existing densities are about 75 to 100 persons per acre and should be so maintain South of the Ring Road upto Badarpur Road the same pattern of 75 to 100 persons per acre is recommended. Near Kalkaji, however, higher densities of 100 to 150 persons per acre have been proposed since it is nearest to the Okhla Industrial Area. It is proposed to keep the 25 persons per acre density west Mathura Road in Friend's Colony, whereas for the areas east of Mathura Road, a density of 50 persons per acre is proposed. No residential development should take place south of Okhla Sewage Farm since it is undesirable to have a residential area there."

(iii) On page 24, right-hand column in para 2, the lines from line 21, shall be substituted as follows :

"All other areas north of Mall Road and the east of G.T. Road are proposed to be developed at 100 persons per acre upto the National Highway Bypass. The northern portion of this is subject to water logging and should be developed only after adequate drainage arrangements have been carried out."

(iv) On page 24, right-hand column, paragraph 3 shall be substituted by the following paragraph :—

"In the north-west, at present almost the entire area is rural in character with some good orchards. It is proposed to have intensive development for areas that are nearest to the city as they are not more than 4 miles from the densely populated Old Delhi and should help in relieving some of the congestion there. The densities proposed are 150 persons per acre near Andha Mughal and from 150 to 100 persons on both sides of the Ring Road and upto the outer periphery of the proposed urbanisable limits and along the railway lines to Rohtak and Ambala, so that the maximum number of people will travel minimum distance to get to work. Many of the large existing orchards have been retained as District

Parks and may be preserved and maintained as orchards by public agencies or leased to cooperatives and individuals. Also in making detailed lay out Plans care should be taken to include as much as possible of the existing orchards for local parks. Since it takes many years to landscape a park with trees, it is essential to make the best use of these trees."

(v) On page 25, left-hand column, paragraph 3 shall be substituted by the following paragraph :—

"The density is between 100 to 150 persons per acre west of Delhi-Jaipur Railway line and near the industrial areas. The same density range from 100 to 150 persons per acre has been proposed along the Najafgarh Road and on the periphery of urban limits with high densities close to the work centres."

(vi) On page 25, left-hand column, in paragraph 4, lines 27 and 28 shall be substituted by the line, as follows :

"Across the Yamuna, Shahdara is proposed to be developed as a complete city of about one-million population."

(vii) On page 25, right-hand column, paragraph 2 shall be substituted by the following paragraph :—

"High densities of 125 to 150 persons are proposed in South Shahdara in proximity to the proposed industrial and commercial areas. In other areas densities ranging from 125 to 75 persons per acre are proposed towards the UP Border and upto northern Highway Bypass. Higher densities are proposed in this area to establish relationship with the work centres and housing for low-income groups."

(viii) On page 26 of the Master Plan for Delhi, for the table indicates the population and residential areas for each Division by appearing above the heading "7-Development Zone", the following Table shall be substituted :—

Planning Divisions	Proposed 1981 Population	Residential Area (acres)
A. Old City	3,22,600	1,370
B. City Extension	3,98,200	2,590
C. Civil Lines	3,87,685	3,480
D. New Delhi	6,34,100	6,963
E. Shahdara	9,69,570	7,890
F. South Delhi	8,27,125	9,400
G. West Delhi*	8,03,175	8,240
H. West Yamuna Canal or North West	9,20,485	7,460
Total :	52,62,800	47,360

II. Gross Residential Densities for various zones in the above mentioned Planning Divisions indicated in the Land use Plan for the Urban Delhi appended to the Master Plan for Delhi are revised as shown in the map appended to this notification.

[No. K-12016(1)/76-(Part II)]

K. BISWAS, Director (UD)

(दिल्ली विकास प्राधिकरण)

नई दिल्ली, 20 दिसम्बर, 1979

का०आ० 108.—विल्ली विकास प्राधिकरण 1957 की धारा 22 की उपधारा (4) के अन्तर्गत केंद्रीय सरकार ने भारत एवं विकास कार्यालय, निर्माण एवं आवास और शहरी विकास मन्त्रालय, भारत सरकार, नई दिल्ली के अधीन नीचे दी गई अनुसूची में निर्धारित भूमि के निपटान के लिए विल्ली विकास प्राधिकरण को नियुक्त किया और अब यह भूमि दिल्ली परिवहन निगम को स्थानान्तरित की जाती है।

अनुसूची

इन्द्रप्रस्थ डिपो, दिल्ली परिवहन निगम भवन के नजदीक परिक्रमा
सड़क पर स्थित भूमि में— साईट सं०

52 को अधिसूचना में ए० ३३३० ओ० १८१०, दिनांक २०-७-७४ के
अनुसार ए० ३३३० ओ० १८१० तात्त्वान में दिल्ली विकास अधिनियम,
१९५७ की धारा २२ की अधारा (४) के अन्तर्गत लगभग ३.९४६
एकड़ भूमि के भाग को विद्याया गया है।

उपर्युक्त भूमि की सीमा का विवरण चल प्रकार है—

उत्तर : दिल्ली परिवहन निगम भवन।

दक्षिण : रेलवे भूमि।

पूर्व : नेशनल हाईवे।

पश्चिम : रेलवे भूमि।

[ग० ए० ३३३० ए० ३३३० ३३(३)/७५-ए० ३३३० ओ० (I)/२३६-३८]

हृष्टयनाथ कोटेश्वार, सचिव

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 20th December, 1976

S. O. 108.—In pursuance of the provisions of Sub-section (4) of Section 22 of the Delhi Development Act, 1957 the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land & Development Office, Ministry of Works & Housing & Urban Development, Govt. of India, New Delhi for further transfer to the Delhi Transport Corporation.

SCHEDULE

Piece of land measuring about 3.946 Acres situated Near D.T.C. Building at Ring Road, I.P. Depot, bearing Plot No. Site No. 52 Notification No. S.O. 1810, dated 20-7-74 U/S 22 of Sub-section (4) of D.D.A. Act, 1957 shown in the plan L.D.O. 2248.

The above piece of land is bounded as follows:—

North : D.T.C. Building.

South : Railway Land.

East National Highway.

West : Railway Land.

[No S&S 33(3)/75/ASO(I)/236-38]

H. N. Fotedar, Secy.

MINISTRY OF LABOUR

New Delhi, the 23rd December, 1976

S.O. 109.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, DELHI

CGID No. 79 of 1976

BETWEEN

The Zonal Manager, Central Bank of India Sector 17B, Chandigarh.

AND

Its workman as represented by CBIEU, Haryana (Regd.), 146A, Lal Kuri, Ambala Cantt.

PRESENT :

Shri H. L. Chhibber for the management
S/Shri R. K. Joshi & A. L. Chopra for the workmen.

AWARD

The Central Govt. on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-12012/113/73/LR. III/D. II(A), dated the 20th January, 1975 with the following terms of reference :—

“Whether the action of the management of the Central Bank of India, Chandigarh in not designating Shri Mangat Sharma a, clerk-cum-Godown-Keeper is an act of victimisation and unfair labour practice ? If so, to what relief the workmen is entitled ?

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by S/Shri R. K. Joshi & A. L. Chopra on behalf of the workmen. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/113/73-LR. III]
D. D. GUPTA, Presiding Officer

S.O. 110.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

CGID. No. 75 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Sector 17-B,
Chandigarh,

AND

Its workmen as represented by CBIEU, Haryana
(Regd.) 146-A, Lal Kuri, Ambala Cantt.

PRESENT :

Shri H. L. Chhibber for the management.

S/Shri R. K. Joshi & A. L. Chopra for the Workmen.

AWARD

The Central Govt. on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-12012/12/75-DII/A, dated the 13th May, 1975 with the following terms of reference :—

“Whether the action of the management of the Central Bank of India, Chandigarh in posting Head Cashiers on relieving duties is discriminatory and amounts to unfair Labour practice ? If so, to what relief are the effected workmen Sarvashri Chander Shekhar Jain and R. C. Bajaj, Senior Head Cashiers are entitled ?

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by S/Shri P. K. Joshi & A. L. Chopra on behalf of the workmen. Both the above-named representatives of the parties verify and admit

the terms of settlement and prayed that a no dispute award might be passed in this case In view of this I have no alternative but to pass a no dispute award which is passed accordingly

4th December, 1976

[F No L-12012/12/75-D II A]

D D GUPTA, Presiding Officer

S.O. 111—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 20 12 76

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT
INDUSTRIAL TRIBUNAL, DELHI
C.G.I.D. No. 76 of 1976

BETWEEN

The management of M/s Central Bank of India

AND

Its workman as represented by CBIEU Haryana

PRESENT

Shri H L Chhibber—for the management

S/Shri R K Joshi & A L Chopra—for the workman

AWARD

The Central Govt on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its order No 12012/79/75/DII/A dated the 11th November, 1975 with the following terms of reference —

"Whether the action of the management of the Central Bank of India, Chandigarh in denying the transfer of Shri Rameshwar Raj Kumar, Peon, Rurka Khurd to Ambala Cantonment Branch of the said Bank is justified ? If not, to what relief is the said workman entitled ?"

2 When the case came up today for hearing before me a memorandum of settlement was jointly filed by Shri H L Chhibber on behalf of the management by S/Shri R K. Joshi and A L Chopra on behalf of the workman Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976

[F No L 12012/79/75-D II A]

D D GUPTA, Presiding Officer

S.O. 112—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India and their workmen, which was received by the Central Government on 20 12-76

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 71 of 1976

BETWEEN

The management of M/s Central Bank of India

AND

Its workman as represented by CBIEU Haryana

PRESENT

Shri H L Chhibber—for the management

S/Shri R K Joshi & A I Chopra—for the workman

AWARD

The Central Govt on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No L 12012/36/75/DII/A, dated the 31st May, 1975 with the following terms of reference —

"Whether the action of the management of the Central Bank of India in denying payment of daftary allowances to Shri Gian Chand, of Mani Marja Branch of the said Bank with effect from the 19th July, 1965 to 31st October, 1974 and further denial of promotion to Dafty with effect from 31st October, 1974 is justified ? If not, to what reliefs are the said workmen entitled ?

2 When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H L Chhibber on behalf of the management and by S/Shri R K Joshi and A L Chopra on behalf of the workman Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case In view of this I have no alternative but to pass a no dispute award which is passed accordingly

4th December, 1976

[F No L-12012/36/75 D II A]

D D GUPTA, Presiding Officer

S.O. 113—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India Chandigarh and their workmen, which was received by the Central Government on the 20-12-76

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 62 of 1976

BETWEEN

The Zonal Manager, Central Bank of India Chandigarh
AND

Its workman as represented by CBIEU Haryana, 146-A,
Jal Kurti, Ambala Cantt

PRESENT

Shri H L Chhibber—for the management

S/Shri R K Joshi & A L Chopra—for the workman

AWARD

The Central Govt on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No L 12012/144/74 I RII/dated the 23rd April, 1975 with the following terms of reference —

"Whether the action of the management of the Central Bank of India in not taking Shri Gur Prasad Khular clerk on the permanent rolls of the Bank is legal and justified ? If not to what relief is he entitled ?"

2 When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H L Chhibber on behalf of the management and by S/Shri R K. Joshi and A I Chopra on behalf of the workman Both the above-named representatives of the parties verify and admit

the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976

[F. No. L-12012/144/74-LR. III/D. II. A]
D. D. GUPTA, Presiding Officer

New Delhi, the 24th December, 1976

S.O. 114.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 74 of 1976

BETWEEN

The management of M/s. Central Bank of India, through Zonal Manager, Chandigarh.

AND

Its workman as represented by Central Bank of India Employees Union Haryana (Regd.), 146-A, Lal Kurti, Ambala Cantt.

PRESENT:

Shri H. L. Chhiber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. 12012/80/75-DII/A dated the 19th August, 1975 with the following terms of reference:—

“Whether the action of the management of the Central Bank of India, Chandigarh, in designating Shri H. L. Kathuria as clerk-cum-typist is justified? If not, to what relief is the said workman entitled?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhiber on behalf of the management and by Shri R. K. Joshi and Shri A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/80/75-DII. A.]
D. D. GUPTA, Presiding Officer

S.O. 115.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 54 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Chandigarh.
AND

Its workman as represented by CBIEU Haryana Regd.
146A, Lalkurti, Ambala Cantt.

PRESENT :

Shri H. L. Chhiber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L. 12012/127/73/LR III dated the 15th January, 1975 with the following terms of reference:—

“Whether Shri S. P. Sharma, Typist in the Central Bank of India, Chandigarh is entitled to be re-designated as Clerk-cum-Typist with effect from the date of his initial appointment? If not, to what relief is he entitled?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhiber on behalf of the management and S/Shri R. K. Joshi and A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/127/73-LR. III/D. II. A.]
D. D. GUPTA, Presiding Officer

S.O. 116.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 70 of 1976

BETWEEN

The management of M/s. Central Bank of India, Head Office, Mahatma Gandhi Road, Bombay, through Zonal Manager, Central Bank of India, Sector 17-B, Chandigarh.

AND

Its workmen as represented by the CBIEU Haryana (Regd.), 146-A, Lal Kurti, Ambala Cantt.

PRESENT :

Shri H. L. Chhiber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L. 12012/70/74/LR III dated the 26th December, 1974 with the following terms of reference:—

“Whether the management of the Central Bank of India, Chandigarh was justified in denying Shri K. L. Schgal, formerly Clerk, Nizam Road, Ludhiana, branch of the Bank, the right to exercise option for the post of Special Assistant? If not, to what relief is he entitled?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhiber on behalf of the management and by Shri R. K. Joshi and Shri A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/70/74-LR.III/D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 117.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Amritsar Division and their workmen, which was received by the Central Government on the 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 53 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Sector-17-B,
Chandigarh.

AND

Its workmen as represented by CBIEU Haryana (Regd.),
146-A, Lal Kurti, Ambala Cantt.

PRESENT :

Shri H. L. Chhibber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workmen.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L. 12011/4/73/LRIII dated the 18th December, 1974 with the following terms of reference :—

"Whether the action of the management of the Central Bank of India in interviewing candidates for promotion to the officers cadre/special assistant on the 28th February, 1973 at Amritsar Division in violation of the agreed Promotion Policy is justified ? If not, to what relief are the effected workmen/Sarvashri S. K. Barry and K. C. Chawla entitled ?"

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by Shri R. K. Joshi & Shri A. L. Chopra on behalf of the workmen. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12011/4/73-LR.III/D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 118.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India and their workmen, which was received by the Central Government on the 20-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 78 of 1976

BETWEEN

The management of M/s. Central Bank of India.

AND

Its workman as represented by CBIEU Haryana.

PRESENT :

Shri H. L. Chhibber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L. 12012/147/74/I RIII dated the 11th April, 1975 with the following terms of reference :—

"Whether the action of the management of the Central Bank of India in terminating the services of Shri Purshotam Chand Chowdhry, clerk, Khasyol Branch of the Bank, amounts to unfair labour practice ? If so, to what relief is the said workman entitled ?"

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by S/Shri R. K. Joshi & A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/147/74-LR.III/D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 119.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Ludhiana and their workmen, which was received by the Central Government on the 17-12-76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 55 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Sector-17B,
Chandigarh.

AND

Its workman as represented by CBIEU Haryana Regd.,
146-A, Lal Kurti, Ambala Cantt.

PRESENT :

Shri H. L. Chhibber—for the management.
S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order L. 12012/71/74/LRIII dated the 22nd January, 1975 with the following terms of reference :—

"Whether the action of the management of Central Bank of India in causing supercession of Shri K. L. Sehgal, formerly clerk, Nisan Road, Ludhiana Branch, by giving promotion to Shri S. S. Sethi, a junior clerk was legal and justified ? If not, to what relief is he entitled ?"

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by Shri R. K. Joshi & Shri A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/71/74-LR.III/D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 120.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 20-12-76.

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI**

Reference No. CGID No. 65 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Sector 17-B, Chandigarh.

AND

Its workman as represented by CBIEU Haryana.

PRESENT :

Shri H. L. Chhibber—for the management.

S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L 12012/104/73/LR.III dated the 21st September, 1974 with the following terms of reference :—

“Whether the action of the management of Central Bank of India, Chandigarh is not allowing full wages to Shri Hussan Lal Gupta, Clerk at Sirsa Branch of the Bank for the period of his suspension with effect from the 4th April 1972 to the 15th October, 1972 is an act of discrimination and unfair labour practice ? If so, to what relief is he entitled ?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by S/Shri R. K. Joshi & A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/104/73-LR.III/D.II.A.]

D. D. GUPTA, Presiding Officer

New Delhi, the 27th December, 1976

S.O. 121.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Punjab National Bank, Moradabad and their workmen, which was received by the Central Government on the 20-12-76.

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI**

C.G.I.D. No. 36 of 1976

BETWEEN

The Regional Manager, Punjab National Bank, Lucknow Region, Lucknow.

AND

Its workmen as represented by Punjab National Bank Employees Union (U.P.) 19, Garbarjhala Aminabad, Lucknow.

PRESENT :

Shri A. K. Jety with Shri R. N. Raj—for the management.

Shri O. P. Gupta—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-12011/6/75-D.II/A., dated the 30th May, 1975 with the following terms of reference :—

“Whether the action of the management of the Punjab National Bank in denying overtime to its employees for working on the 29th October, 1973, being Id, is justified ? If not, to what relief are the workmen entitled ?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri A. K. Jety with Shri A. N. Raj on behalf of the management and by Shri O. P. Gupta on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12011/6/75-D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 122.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Chandigarh and their workmen, which was received by the Central Government on the 17-12-76.

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI**

C.G.I.D. No 56 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Chandigarh.
AND

Its workman as represented by CBIEU Haryana (Regd.), 146-A, Laf Kurti, Ambala Cantt.

PRESENT :

Shri H. L. Chhibber—for the management.

S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Government on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-12012/108/74/LR.III dated the 6th February, 1975 with the following terms of reference :—

“Whether the action of the management of the Central Bank of India, Chandigarh, in terminating the services of Shri Sudershan Kumar Kapahi, Clerk at the Majith Mandi, Amritsar Branch with effect from the 8th April, 1973 was legal and justified ? If not to what relief is he entitled ?”

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by Shri R. K. Joshi & A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

[F. No. L-12012/108/74-LR.III/D.II.A.]
D. D. GUPTA, Presiding Officer

S.O. 123.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the management of the Central Bank of India, Ambala Cantt and their workmen, which was received by the Central Government on the 17th December, 76.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D.L. No. 57 of 1976

BETWEEN

The Zonal Manager, Central Bank of India, Chandigarh.
AND

Its workman as represented by CBIEU Haryana Regd.
146 (A), Lal Kurti Ambala Cantt.

PRESENT :

Shri H. L. Chhibber—for the management.

S/Shri R. K. Joshi & A. L. Chopra—for the workman.

AWARD

The Central Govt. on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-12012/13/74-LR.III dated the 7th March, 1975 with the following terms of reference :—

"Whether the action of the Central Bank of India in denying promotion with effect from the 22nd September, 1973, to Shri Amrik Singh, Clerk at Ambala Cantonment Branch of the Bank is justified. If not, to what relief is he entitled?"

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri H. L. Chhibber on behalf of the management and by S/Shri R. K. Joshi & A. L. Chopra on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute award might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

4th December, 1976.

D. D. GUPTA, Presiding Officer.

[F. No. L-12012/13/74-LR. III/D.II.A]

R. P. NARULA, Under Secy.

भ्रम भंगालय

शुद्धि-पत्र

नई दिल्ली, 23 दिसम्बर, 1976

का० ३०। १२४।—भारत के राजपत्र, भाग 2, खण्ड 3, उपलब्ध
(ii) तारीख 29 मई, 1976 में पृष्ठ 1979 पर प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० ३०। १८०७ तारीख 12 मई, 1976 से उपायक सारणी में मद 11(2) के मामते के आक्षय में से सहायक शब्द का लोप किया जाएगा।

[सं० एम०-32013(1)/75-उल्लू० ₹०(एम०उल्लू०)]

हस्त राज छापड़ा, उप सचिव

नई दिल्ली, 26 नवम्बर, 1976

साकेत

का० ३०। १२५।—केन्द्रीय सरकार की राय है कि इसमें उपायक सुन्-सूची में विनियोग विषयों के बारे में मैसर्स काटिलेण्ट्स कन्स्ट्रक्शन प्राइवेट लिमिटेड, गांधीग्राम विशाखापत्ननम-5 के प्रबन्धतांत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रौथोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहती है;

प्रतः, ग्रंथ, ग्रौथोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक ग्रौथोगिक अधिकरण गठित करती है जिनके पीठासीन अधिकारी श्री केंपी० नरसिंह राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त ग्रौथोगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

इस मैसर्स काटिलेण्ट्स कन्स्ट्रक्शन प्राइवेट लिमिटेड, विशाखापत्ननम् के प्रबन्धतांत्र की श्री किशन सिंह, बिजली-मिली की सेवाओं को 12 अप्रैल, 1976 से समाप्त करने की कार्रवाई जैध और न्यायेचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुत्तर का हक्कदार है।

[सं० एम०-34012(2)/76-ही०-४(ए)]

नवं लाल, डेस्क अधिकारी

New Delhi, the 26th November, 1976

ORDER

S.O. 125.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Continental Construction Private Limited, Gandhigram, Visakhapatnam-5 and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. P. Narayana Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Messrs Continental Construction Private Limited, Visakhapatnam, in terminating the services of Shri Kishen Singh Electrician, with effect from the 12th April, 1976 is legal and justified? If not, to what relief is the concerned workman entitled?"

[No. L-34012(2)/76-D.IV(A)]

NAND LAL, Desk Officer

New Delhi, the 21st December, 1975

S.O. 126.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta, in the industrial dispute between the employers in relation to the management of Dullurband Colliery of Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on the 11th December, 1976.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,

CALCUTTA

Reference No. 16 of 1976

PARTIES :

Employers in relation to the management of Dalurband Colliery of Eastern Coal Fields Limited.

AND

Their Workmen

APPEARANCE :

On behalf of Employers—Shri N. Das, Advocate, with
Sri B. N. Lal, Asstt. Chief Personnel Officer,
Sri S. K. Chandra, Senior Personnel Officer.

On behalf of Workmen—Sri B. S. Azad.

STATE : West Bengal

INDUSTRY : Coal Mine.

AWARD

By Order No. L-22012/7/76-DHIB, dated 17th March, 1976 the Government of India, Ministry of Labour, referred an industrial dispute existing between the employers in relation to the management of Dalurband Colliery of Eastern Coal Fields Limited and their workmen, to this Tribunal, for adjudication. The Reference reads :

"Whether the action of the management of Dalurband Colliery of Eastern Coal Fields Limited, Post Office Pandaveshwar, District Burdwan, in refusing to allow Shrimati Kamala Kamin, Wagon Loader, to resume duty with effect from 18-8-75 is justified? If not, to what relief is she entitled?"

2. The case of the workman Sm. Kamala Kamin is that she reported for duty on 18-8-75 to the Dalurband colliery, which is now under the management of Coal India Limited when they refused to take her back as a wagon loader on her resumption of duty after a long illness. Her case was that she was undergoing treatment from December, 1973 to August, 1975 for some mental disease. It was with the approval of the management that she was sent by the colliery to one Chhota Hospital for treatment on the recommendation of the colliery doctor. After some days' treatment in that hospital she was transferred to Kalla Hospital for further treatment where she was an in-patient for 2/3 weeks. Thereafter she was treated in a private clinic between February, 1974 to 11th August, 1975 and for that she was given a medical certificate, Ext. W-1 by the Doctor who treated her. The complaint of the workman was that the management had no right to stop her for continuing the work after she reported for duty on 18-8-75.

3. The management's case is that after she was treated in Chhota Hospital as well as in Kalla Hospital her whereabouts were not known. So, they issued Ext. M-1 letter dated 3-5-74 asking her to resume duty within 7 days of the receipt of the letter. Since there was no reply to that letter the management sent Ext. M-2 letter dated 10-1-75 striking off her name from the man-power permanent list for remaining absent from duty without any reason. So, according to the management the workman had no subsisting right to be reinstated after the termination of her service on the basis of Ext. M-2 letter. It is also the case of the management that under clause (g)

of Rule 10 of the Standing Orders if a workman remained absent beyond the period of leave originally granted or subsequently extended he shall lose lien on his appointment. So, they state that the management is not bound to reinstate the workman. However, they have stated that with effect from 19-3-76 the workman concerned has been treated as a badli worker and that she has been employed in that capacity in the colliery for continuing the same work for which she had been employed before.

4. The question for consideration in this reference is whether the management was justified in refusing to allow the workman concerned to resume duty with effect from 18-8-75.

5. It is admitted case that the workman concerned left the colliery due to mental disease and that the colliery itself put her in hospital for treatment. She was treated first in the Chhota hospital and then in Kalla hospital with the consent of the management. Thereafter, the case of the workman was that she was treated in a private clinic between February, 1974 to August, 1975. She produced Ext. W-1 medical certificate from one Dr. A. K. Goswami who was in-charge of the clinic along with an application which she made before the management on 18-8-75 (vide Ext. W-4). This fact was not disputed. WW-1 who is the husband of the workman proved that the Head clerk in-charge of the colliery had endorsed at the bottom of Ext. W-1 that such a certificate was presented by the workman along with Ext. W-4 letter dated 18-8-75. But, in the meanwhile the management sent Ext. M-1 notice followed by Ext. M-2 order by which her name was struck off from the rolls of the man-power permanent list. The evidence of WW-1 was that neither Ext. M-1 nor Ext. M-2 was received by the workman. WW-1 himself is a workman of the same colliery. They joined service at the same time. There is no evidence that either Ext. M-1 or Ext. M-2 was correctly addressed to the workman concerned. In the absence of any such evidence it could not be said that this letter would have received by the workman. WW-1 who was examined on behalf of the management did not state that this letter was sent by registered post. Neither was he able to prove that this letter was sent as usual through a messenger under a despatch register. In the absence of any such evidence it cannot be accepted that the workman received either Ext. M-1 or Ext. M-2. The evidence of WW-1 is that the workman concerned had been under the treatment of Dr. A. K. Goswami and that Dr. A. K. Goswami had issued Ext. W-1 certificate. There is no reason to reject that evidence. The fact that the workman presented Ext. W-1 with Ext. W-4 resumption of duty letter on 18-8-75 was not disputed. It is clear from the evidence that the workman was not in a position to resume duty as she was discharged from the clinic only in the month of August, 1975.

6. The next question is whether the management was justified in the circumstances of the case in refusing the workman to resume duty on 18-8-75. The management however has relied upon the provisions which contain in the Standing Order clause 10(g) and it reads as, "If a workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose lien on his appointment unless he (i) returns within ten days of expiry of his leave, and/or (ii) explains to the satisfaction of the Manager his inability to return on the expiry of his leave. In case the workman loses as aforesaid, his lien on the appointment, he shall be entitled to be kept on the Badli list". The evidence was that the management put the workman in the badli list only with effect from 19-3-76 though she presented herself for duty on 18-8-75. No explanation was forthcoming from the management why the workman was not put on the badli list with effect from 18-8-75. Anyway, the question still remains to be considered is whether the provision of the Standing Order is sufficient to refuse a workman resuming duty in the present case. Clause (ii) of 10(g) provides that if the workman explains to the satisfaction of the management his inability to return on the expiry of his leave, it is for the management to consider whether his explanation is acceptable. In this case the workman had produced Ext. W-1 with Ext. W-4 resumption of duty letter on 18-8-75 before the management of the colliery. But they never considered either Ext. W-1 or Ext. W-4 and passed an order thereon. In this regard the management has relied upon a decision reported in 1969 II ILJ 883. That decision is on the basis of a different Standing Order. The provision of the Standing Order in that case cannot be applied in the instant case. In the instant case clauses 10(g) (i) and 10(g)(ii) are made independent clauses separating each other with "or". It is for the management to examine whether the cause of the workman as to his inability to return to duty on the expiry

of his leave was true or not. In this case such an examination was absolutely necessary as it was left to the satisfaction of the management to decide whether the explanation of the workman is true or not. There was failure to apply the principle of natural justice in the instant case. If the management had examined the case with reference to Ext. W-1 and Ext. W-4 probably they would have come to a different conclusion. The failure to examine the case, therefore, has caused hardship to the workman concerned. The management has not properly applied the provisions of the Standing Order to the facts and the circumstances of this case. I find, therefore, the termination of lien of the workman is not correct. The management is not justified in refusing the workman to resume duty with effect from 18-8-75.

7. In the result, an Award is passed that the workman Kamla Kamin shall be deemed to have resumed duty with effect from 18-8-75 as a regular permanent workman of the colliery but she shall not be given back wages as she had not worked for the period from 18-8-75 to 18-3-76. She is however entitled to other benefits including continuity of service. The management may examine whether she can be granted medical leave or earned leave or any other leave under the rules of the colliery with pay from 25-12-73 to 18-8-75.

E. K. MOJDU, Presiding Officer
[No. I-22012/7/76-D-JII B]
V. VELAYUDHAN, Under Secy.

Dated, Calcutta.
The 3rd December, 1976.

New Delhi the 13th December, 1976

S.O. 127.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Collieries of National Coal Development Corporation and the Coal Mines Authority Limited in Bokaro, Kargali and Kathara Area, Darbhanga Area, Ranchi and their workmen, which was received by the Central Government on the 9th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 16 of 1974
(Ministry's Order No. L-2012/42/74-LR-II, dated the 18th December, 1974)

PARTIES :

Employers in relation to the management of Collieries of National Coal Development Corporation Limited, and Coal Mines Authority Limited in Bokaro, Kargali and Kathara areas, Darbhanga House, Ranchi.

AND

Their workmen

APPEARANCES :

For the Employers—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri Lalit Burman, Secretary and Shri Rasique Khan, General Secretary, United Coal Workers Union.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 29th November, 1976

AWARD

The National Coal Development Corporation (hereinafter referred to as the Corporation), was incorporated as a Gov-

ernment Company on October 1, 1956. The then existing 11 Government collieries came to vest in the Corporation on and from that date, and their management also came into its hands. These 11 Government collieries were spread over the States of Bihar, Orissa and Madhya Pradesh. The Corporation discovered a few more collieries in the said three States, and also in the State of Maharashtra and these newly found collieries also vested in it. These Coal Mines were of two kinds, Coking Coal and non-Coking coal Mines. The Coking Coal Mines were nationalised under section 4 of the Coking Coal Mines (Nationalisation) Act, 1972 with effect from May 1, 1972 and the Non-Coking Coal Mines were also subsequently nationalised under section 3 of the Coal Mines (Nationalisation) Act, 1973 with effect from May 1, 1973. Due to re-organisation following nationalisation, there came into existence a holding company named the Coal India Limited on November 1, 1975. This holding company has 5 subsidiary companies, namely, the Central Coalfields Limited, the Bharat Coking Coal Limited, the Eastern Coalfields Limited, the Western Coalfields Limited and the Central Mines Planning and Design Institute Limited. Some of the original Government collieries and some of the nationalised collieries were vested in the Central Coalfields Limited (here-in-after referred to as the Company). The Company has its Headquarters at Ranchi. The collieries of the company have been allocated to Sub-Areas and the Sub-Areas are under Areas. The Areas of the company are known as the Bokaro Area, the Kargali Area and the Kathara Area. The Bokaro and the Kargali Areas were later amalgamated and these two are now known as the Bokaro-Kargali combined area. The original Coking Coal Mines in this combined area are the Bokaro Colliery, the Kargali Colliery, the Chalkari Colliery and the Giridih Colliery; and the nationalised Coking Coal Mines in this combined area are the Dhori Colliery, the Dhori Khas Colliery, the Selected Dhori Colliery, the Kalyani Colliery, the Turio Colliery and the Tarmi Colliery. The Non-Coking Coal Mines in this combined area are the nationalised ones and these are the New Selected Dhori Colliery, the Selected Kargali Colliery and the Pure Dhori Colliery. The original Government Collieries in the Kathara Area are the Kathara Colliery, the Jarangdi Colliery and the Sawang Colliery and the nationalised colliery in the Kathara area is a single one, called the Pipradih Colliery.

2. Sunday is the weekly off-day in all these collieries, whether located in the Bokaro-Kargali combined area or in the Kathara Area. Generally speaking, only maintenance work is done on Sundays, and for that work, some workmen are called to duty and paid remuneration. In the Original Government collieries, the extra remuneration paid is at double the rate of basic wages and dearness allowance; but in the nationalised collieries, the extra remuneration paid is at $\frac{1}{2}$ times of the basic wages and dearness allowance. The company includes work done by a workman on a weekly off-day in the calculation of his Annual Leave under the Mines Act, but for the purpose of calculation of bonus payable to each workman for his work on the weekly off-day, it includes only the ordinary basic wages and dearness allowance and not the extra 100 per cent or 50 per cent, as the case may be. The Secretary of the Coal Workers Union made a demand for inclusion of the extra 100 per cent or 50% of the amount also in the calculation of Bonus in every accounting year but this demand was rejected. The Union then approached the Assistant Labour Commissioner (here-in-after referred to as the A.L.C.) for conciliation but that ended in failure and that impelled the Central Government to make a reference for adjudication of that dispute to this Tribunal, in exercise of its power under clause (d) of sub-Section (1) of Section 10 of the Industrial Disputes Act. The dispute referred is as follows :—

"Whether the demand of the workmen of Collieries of National Coal Development Corporation Limited and Coal Mines Authority Limited in Bokaro, Kargali and Kathara areas for inclusion of payments made at double the rate of wages for working on Sunday for the purpose of calculation of bonus under the provisions of the Payment of Bonus Act, 1965 is justified? If so, to what relief are the workmen entitled and from which date?"

3. On the service of usual notices requiring the parties to file their respective statement of claim, the Union filed its written statement on January 15, 1975. The Company filed its written statement and also its rejoinder to the written statement of the Union on June 26, 1976. The Union filed its rejoinder to the written statement of the company on August 6, 1976.

4. The Company has resisted the claim of the Union on three grounds, two of which are preliminary in nature; and, therefore, I propose to decide these preliminary points first.

5. The first point raised by the Company is that it is an establishment in the public sector and, therefore, the Payment of Bonus Act does not apply to it. Section 2(16) of the Payment of Bonus Act says that "Establishment in Public Sector", inter-alia, means an establishment owned, controlled or managed by—(a) a Government Company. Section 32(X) of the Act says that nothing in this Act shall apply to employees employed by any establishment in public sector, save as otherwise provided under the Act. It is obvious, therefore, that except to the extent provided under the Act, the employees employed in any establishment in public sector have been excluded from the application of the Act. The exemption is, however, a limited one, for, under section 20, the Act shall apply in relation to an establishment in public sector like an establishment in private sector if: (i) in any accounting year such establishment in public sector sells any goods produced or manufactured by it or renders any services in competition with an establishment in the private sector; and (ii) the income from such sale or services or both is not less than 20 per cent of the gross income of the establishment in public sector for that accounting year. The accounting year of the Company is the financial year. In a nutshell, the argument advanced by the learned counsel for the company is that the company is in public sector; it is not in competition with any establishment in the private sector; and no evidence has been led by either side to show that the income from sale of goods, produced or manufactured by the company or services rendered by it or both is 20 per cent or more of the gross income and, therefore, the company is wholly exempted from the payment of any bonus for the reason that the Act is not applicable to it at all. The General Secretary of the Union, however, argued that the company runs its business in competition with the other four subsidiary companies of Coal India Limited and also in competition with the captive coal mines of the TISCO and, therefore, the Act shall have application to it. The competition required by the law is not competition inter-se between one establishment and another in the public sector but between one establishment in the public sector and another in the private sector. It is true that there may be an element of competition between the company and the TISCO's private mines, but there is no evidence that the income from sale or services or both made or rendered by the company is not less than 20 per cent of its gross income in any accounting year. However, there are certain circumstances which go to show that the Act is applicable to the Company. Sub-section (2) of section 20 is in the nature of an explanation to sub-section (i). It provides that once in a particular year the provisions of the Act have been made applicable to an establishment in public sector, the establishment shall continue to be governed by the Act notwithstanding that in any subsequent accounting year its income from the sale of goods produced or manufactured by it or from services rendered or from both in competition with an establishment in the private sector has fallen below 20 per cent of its gross income for that accounting year. There is very reliable evidence that by a voluntary act of the company itself, it has been paying bonus to its workmen under the Payment of Bonus Act. It has filed schedules of calculation of bonus for the financial years, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972 and 1973. These schedules show that bonus was paid to its workmen in the said financial years. They further indicate the methods by which the gross profits, available surplus and allocable surplus under the Act were worked out. It has also filed the National Coal Wage Agreement dated December 11, 1974, Ext. M-1. This shows that the Company pays attendance bonus at 10 per cent of the Basic Wage. The interim agreement for increase in wages also shows that the company was paying bonus under the Act. In his deposition Shri R. S. Murthy, MW-2, the Chief Personnel Officer at the Head Quarters of the Company, has also admitted that the company has been paying bonus under the Payment of Bonus Act. Section 32 does not impose an absolute bar to the applicability of the Act to an establishment in the public sector for it is subject to and conditioned by the provisions of section 20, and an establishment in the public sector may become liable to pay bonus under section 20 notwithstanding the provisions of section 32. Again, a company may waive its rights. The company has waived its rights by paying bonus to its workmen for a large number of years and therefore, it does not now lie in its mouth to back out of it. The point is, therefore, decided against the company.

6. The second preliminary point raised is that the Union did not make any demand upon the company which could

be accepted or rejected by it in respect of the present dispute and, therefore, there was no industrial dispute which the Central Government was competent to refer to this Tribunal for adjudication or which this Tribunal has the jurisdiction to decide. The point has some substance, that is to say an industrial dispute was raised in respect of one colliery and one washery but not in respect of all and, therefore, this Tribunal will have jurisdiction to decide only in respect of that dispute, which has become an industrial dispute.

7. WW-1 Shiv Nath Prasad Singh is Electrical Chargeeman in the Swang Colliery. He is also the Secretary of the Coal Workers Union. He sent a letter Ext. W-7 on October 16, 1973 to the Sub-Area Manager Sawang Group along with an agenda Ext. W-8 for discussion with him on October 18, 1973, the date appointed for discussion by the Sub-Area Manager. A copy of this letter was also sent to the Area General Manager, Kathara for information and necessary action. Item No. 11 of the agenda reads:—"Sunday Wages are not added in the Profit Sharing Bonus, so the same wages, arrears should be paid to the workmen with retrospective effect i.e. 15-8-1967." Shri Nath Singh has further deposed that he discussed item No. 11 with the Sub-Area Manager, Sawang Group but he declined to accede to the demand. Shri Nath Prasad Singh has signed Ext. W-7 as Secretary, Coal Workers' Union, Sawang Branch, Sawang. The dispute that he raised was, therefore, only in respect of such Collieries or Washeries as were within the jurisdiction of the Sawang Sub-Area and that is the reason why the discussion also took place with the Sub-Area Manager, Sawang Group. It is not disputed that no such dispute was raised with Coal India Limited or even with the Area Manager of the combined Bokaro-Kargali area or with the Area Manager of the Kathara Area because the dispute related to Sawang Group Collieries and Washeries only. The dispute was not raised with regard to the Kathara group or the Jarangdih group or the Piperadil group. It related only to the Sawang Group. That it is so, will also appear from the correspondence that ensued during the course of the conciliation proceedings. These are Ext. W-9, dated November 30, 1973, Ext. W-1, dated December 6, 1973, Ext. W-2, dated December 13, 1973, Ext. W-3, dated December 18, 1973, Ext. W-4, dated 7/9 January, 1974, Ext. W-11, dated February 2, 1974, Ext. W-10, dated November 6, 1974 and Ext. W-5, dated February 11, 1974. In Ext. W-9, the General Secretary of the Union wrote to the A.L.C. that the dispute was in respect of the Sawang Colliery and the Sawang Washery. He has emphasised this in 2 paragraphs. The same demand has been emphasised in the other letters cited above. The two contending parties as also the A.L.C., understood that the dispute was about Sawang Colliery and the Washery. W-1 is a letter addressed by A.L.C. to the Sub-Area Manager, Sawang Colliery. Ext. W-2 is a letter sent by the Sub-Area Manager, Sawang to the A.L.C.; Ext. W-3, is a letter sent by the A.L.C. to the Sub-Area Manager; Ext. W-4 is a letter sent by the Chief Personnel Officer to the A.L.C.; and Ext. W-5 is a letter sent by the A.L.C. both to the Sub-Area Manager and to the General Secretary of the Union; and all these specifically indicate that the dispute was a dispute in respect of the Sawang Colliery and Sawang Washery. The dispute referred by the Government of India is, however, in respect of 18 Collieries whereas the demand made by the Union on the company was only in respect of the Sawang Colliery and the Sawang Washery. In Sindhu Re-Settlement Corporation Limited versus Industrial Tribunal, 1968 (I) LLJ-834, the Supreme Court has laid down that more demand to the appropriate Government without a dispute being raised by the workmen with their employer regarding such demand can not become an Industrial Dispute. A division bench of the Delhi High Court has followed the principles of the Sindhu Re-Settlement case in Fodders Lloyd Corporation (Pvt.) Ltd. versus Lieutenant Governor, 1970 Lab. Ind. Cases—421 and observed that the demand by the workmen must be raised first with the management and rejected by them before an industrial dispute can be said to arise and exist and the making of such a demand to the Conciliation Officer and communication by him to the Management, who rejected the demand is not sufficient to constitute an industrial dispute. A Division Bench of the Patna High Court has taken the view in Management of Radio Foundation Engineering Limited versus State of Bihar 1970 Lab. Ind. Cases—1119 that a dispute about the reason for stoppage of work where the workmen stopped the work according to the employer, while according to the workmen they were not allowed to work due to the closing of the place of employment and suspension of work was an industrial dispute despite the fact that no specific demand by the workmen was made in this connection because no specific demand was necessary to bring about the existence of an industrial dispute on the facts and in the circumstances of

the case. The decision of the Patna High Court is based on the peculiar facts of that case. It is the ratio of the Supreme Court decision that applies in the instant case. I therefore, hold that the only industrial dispute in respect of which the Tribunal has jurisdiction is the dispute regarding inclusion of the extra wages for the purpose of calculation of Bonus in respect of the Sawang Colliery and the Sawang Washery and not in respect of any other colliery or any other washery in the combined area or in the Katara Area.

8. The third point raised by the Union is that wages paid for work on a Sunday (which is the weekly day of rest) must be treated as "Salary or Wage", as defined by section 2(21) of the Payment of Bonus Act for the purpose of calculation of bonus payable to workmen in each accounting year. As far as this question is concerned, it turns upon the definition of the expression "Salary or Wage", occurring in section 2(21). Section 10 says that every employer shall be bound to pay to every employee in an accounting year a minimum bonus which shall be 4 per cent of the salary or wage earned by the employee during the accounting year or 40 rupees, whichever is higher, whether there are profits in the accounting year or not. The expression "Salary or Wage", in so far as it is relevant for our present purpose, may be re-produced below:—

2(21) "Salary or Wage" means all remuneration (other than remuneration in respect of overtime work) capable of being expressed in terms of money, which would, if the terms of employment, express or implied were fulfilled, be payable to an employee in respect of his employment or of work done in such employment and includes dearness allowance (that is to say, all cash payments, by whatever name called, paid to an employee on account of a rise in the cost of living), but does not include

9. The contention of the learned counsel for the Company is that the extra wages paid to a workmen that is to say 100 per cent or 50 per cent, over his ordinary wage for employment of work done on the weekly off-day is "Overtime" payment and, therefore, is excluded from the definition of "Salary or Wage" and consequently can not be included in the calculation of wage for computation of bonus. On the other hand, it has been urged by the learned representative of the Union that the extra wages paid is "Remuneration" and not "Overtime" payment and, therefore, it must be included in the computation of bonus.

10. The ordinary dictionary meaning of the word "remunerate" is to re-compense: to pay for services rendered and "remuneration" means re-compense: reward. Pay likewise, the dictionary meaning of "overtime" is time employed in work beyond the required hours: work done in such time: pay for such work. I have considered the controversy from several aspects and I am of the view that ordinarily the word "remuneration" will include "overtime" payment also but the definition is exhaustive, inclusive and also exclusive and when it excludes "overtime", it cannot form part of salary or wages.

11. The next question is whether the extra-payment made for work on the weekly rest day is or is not overtime. In my view, it is overtime and now I must set forth the reason for my view. The expression "Overtime" has not been defined in the Payment of Bonus Act. It has however, both a historical and legal background. Early in 1948, there was an agreement between the Indian Mining Association, Indian Mining Federation and the Indian Colliery Owner's Association on the one hand and labour in the coal mining industry on the other, about the principles of payment for work or holidays, which is commonly known as the "Joshi Agreement". Paragraph 4 of the agreement provides for payment of overtime work. This has been divided into two categories, namely, payment of overtime to daily-rated workers and payment of overtime to monthly-rated staff. The agreement mentions that for work on a Sunday or the recognised day of weekly rest, payment shall be at 1½ times the normal rate to

both the categories. Explanation B to the agreement also speaks of overtime for work on a recognised day of weekly rest. The Labour Appellate Tribunal, referring to the Joshi Agreement in the Collieries Appeals, observed that the parties had agreed to work on weekly rest days and holidays on par with overtime work. The Central Coal Wage Board also treats work on such days as overtime, see Chapter XII. The Bonus Commission, while dealing with this matter, has made the following observations:—

"For all these reasons we recommend that bonus should be expressed in terms of the total wages, basic wages, and dearness allowance. But all other allowances such as overtime wages and incentive production and attendance bonus including attendance bonus under statutory bonus scheme, should be excluded. The inclusion of such allowances would introduce anomalies in regard to bonus as between workmen not getting such allowance and workmen getting such allowance."

Ext. W-4 is the certified Standing Order of the Company. Standing Order No. 6 deals with payment of wages. Clause (C) of this Standing Order No. 6 refers to overtime. It says that overtime shall be worked and wages thereof paid in accordance with the provisions of the Mines Act and as may be prescribed from time to time. For work on weekly rest day, the workman shall be paid as laid down in any agreement or award or as per usage or custom, as the case may be. It appears to me that the intention here also is to treat work on a weekly rest day as overtime work. The only distinction made is with regard to the rate of payment, that is to say, between the statutory rate provided in the Mines Act and the contractual or adjudicated or the customary rate. In any case, the standing order can not over-ride the Payment of Bonus Act and particularly so under section 34 of that Act. Section 28 of the Mines Act makes it obligatory to provide for a weekly day of rest when it says that no person shall be allowed to work in a mine on more than 6 days in any one week. The hours of work above ground can not exceed 48 in any week or 9 hours in any day under section 30. The hours of work below ground can not exceed 48 in any week or 8 in any day under section 31. Section 33 says that where in a mine a person works above ground for more than 9 hours in any day, or works below ground for more than 8 hours in any day or works for more than 48 hours in any week whether above ground or below ground, he shall in respect of such overtime work be entitled to wages at twice the ordinary rate of wage, the period of overtime work being calculated on a daily basis or a weekly basis whichever is more favourable to him. Sunday is a day in a week. If it is the weekly rest day, then the working days are Monday to Saturday. If a workman is asked to work on a Sunday, section 33 says, that extra wages at twice the rate of his ordinary wages shall be paid for "such overtime work". Rule 47 and 60 of the Mines Rules also speak of the same thing. The Mines Act treats work on the weekly rest day on par with overtime work and we are concerned with a mine. No doubt the payment made for overtime work is called wages, but that is for the purpose of that Act. It can not be wages for the purpose of payment of Bonus Act as that Act says that overtime is not covered by 'wage'. There is same case law also which I may cite here. In Caltex (India) Ltd. Versus Industrial Tribunal, 2 F.L.R.-97, the Kerala High Court observed that overtime allowance is related to the fact when the worker works for more than 48 hours in a week. It is implicit in the decision that more than 48 hours can be given by a workman only if he works either on the weekly rest day or on a holiday falling in that week or works in contravention of the Mines Act. In workmen of British Overseas Airways Corporation Versus British Airways Corporation 4 F.I.R.-210 the Supreme Court treated payment of overtime for working on holidays and weekly off-days at a par. In workmen of the Bombay Port Trust Versus Trustees of the Port of the Bombay 12 F.L.R.-283 the matter related to Minimum Wages Act and Factories Act, but there also the decision made was that payment for work on a weekly rest day was overtime payment. I am aware of the fact that one statute should not be interpreted with reference to another statute but one can try to understand a particular expression by reference to the manner in which the legislature understood or understands it, while enacting the statute. I have no doubt in my mind that when a workman works on the weekly rest day, he works overtime. Undoubtedly he receives 200 per cent of 150 per cent wages for such work, including 100 per cent as his ordinary wages, but the extra

payment is for overtime work. The Company already includes the ordinary rate of wages in the calculation of bonus and excludes only the extra wages and that right, to my mind accrues to it by section 2(2) of the Payment of Bonus Act.

My Award is that the workmen in the Sawang Colliery and the Sawang Washery are not justified in their demand that the extra wages paid to a workman for work on the Sunday weekly off should be included in his total wages for calculation of bonus. They are, therefore, not entitled to any relief.

[No. L-2012/42/74/LRII/D III A]
K. B. SRIVASTAVA, Presiding Officer

New Delhi, the 18th December, 1976

S.O. 128.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad and their workmen, which was received by the Central Government on the 14th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 56 of 1975

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

(Ministry's order No. L-20012/168/74/LRII/D. III(A) dated 31st May, 1975).

PARTIES :

Employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad

AND

Their workmen.

APPEARANCES :

On behalf of the employers—Shri S. S. Mukherjee, Advocate.

On behalf of the workmen—None.

State : Bihar

Industry : Coal.

AWARD

The Government of India, Ministry of Labour sent the above reference to this Tribunal for adjudication of the industrial dispute involved with the following issues framed :

SCHEDULE

"Whether the action of the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, post office Sonardih, District Dhanbad in dismissing from work Sarvashri (i) Mangal Kole, (ii) Bhim Kole, (iii) Maghoo Kole, (iv) Akloo Kole, (v) Bhanoo Kole, (vi) Manik Kole and (vii) Sanichar Kole, Miners of West Katras Section with effect from the 17th June, 1974 is justified ? If not, to what relief are the said workmen entitled ?"

The learned Advocate for the employers filed a petition to the Court praying for deciding the validity or otherwise of the domestic enquiry as a preliminary issue. The case was fixed for hearing the preliminary point and on the date so fixed none was present for the workmen nor any step was taken. Since the case has become pretty old I took up the case ex-parte.

122GI/76-7

The case of the employers is that the concerned workmen committed acts of misconduct on 15-5-74 by obstructing production and manhandled some of their co-workers, and accordingly identical charge sheets were issued to all the concerned workmen on 16-5-74. The workmen submitted a joint reply denying the allegation on 17-5-74. A domestic enquiry was held on 23-5-74 in the presence of the workmen concerned. The management witnesses were examined in the presence of the workmen and they were given full opportunity to cross-examine the management witnesses. The concerned workmen were also given opportunity to examine their defence witnesses which they did. The enquiry officer conducted the enquiry proceedings in conformity with the principles of natural justice and he submitted a report finding the workmen guilty of the charges levelled against them. Accordingly they were dismissed from services. The case of the workmen guilty of the charges levelled against them, that the management witnesses were not examined in the presence of the delinquent and they were not given chance to cross-examine the management witnesses in violation of the principles of natural justice. It is further alleged that the enquiry officer was biased and the findings of the enquiry officer were also perverse. It is further alleged that the Colliery Mazdoor Sangh which is affiliated to INTUC hatched a plan in collusion with the local management to falsely implicate the concerned workmen.

As I have already said I am not going into the merit of the case but I am only to see at this stage the validity or otherwise of the domestic enquiry. The management examined Shri Divak Biswas, MW. 1 who was a Personnel Officer of the Govindpur Sub Area within which Akashkinaree Colliery is included. The charge-sheets were duly proved. The evidence of MW. 1 is that he held the domestic enquiry which was participated by all the concerned workmen. He recorded the management's witness and the concerned workmen cross-examined them. He read over and explained the statement recorded by him to the concerned workmen in Hindi. He proves the enquiry proceedings which were written in his own hand in Hindi and which bear his signatures and LTIs of the witness and the LTIs of the concerned workmen (Ext M B). MW. 1 further says in his evidence that the concerned workmen gave their own statements which were recorded by him and they also examined their own witnesses. His report on the enquiry is marked Ext. M 9. He denied that he was biased on the concerned workmen or that the instance of the Colliery Mazdoor Sangh he has decided to dismiss the concerned workmen. The evidence of MW. 1 is ex parte. Though ex parte is his evidence it is supported by documents viz the enquiry proceedings from which it appears that the workmen participated in the enquiry. They were given opportunity to cross-examine the management's witnesses. They also examined their own witnesses. There is nothing to show from record that the enquiry officer was biased against the concerned workmen or that he held the workmen guilty of the charges at the instance of the Colliery Mazdoor Sangh a rival union. It is apparent from the evidence on record that the enquiry officer duly observed the principles of natural justice in holding the enquiry. The only conclusion that I can draw is that the domestic enquiry was held fairly and properly observing the principles of natural justice. The question is whether the findings of the enquiry officer are perverse. By perversely it is meant that the findings are not supported by the evidence on record or the findings are opposed to the whole body of evidence. A number of witnesses were examined by the management and a number of witnesses were also examined from the side of the defendants. In this proceeding I am not entitled to reassess the evidence as adduced before the enquiry officer. From a perusal of the evidence on record it cannot be said that his findings are not based on evidence or his findings are opposed to the whole body of evidence. I cannot therefore find that the findings of the enquiry officer are perverse in any sense. The settled law on the point is that if it is found by the Tribunal that a proper and fairly domestic enquiry was made observing the principles of natural justice and the findings of the enquiry officer are not perverse there is an end of the matter and the Tribunal is not entitled to go over again into the merits of the case.

In the result my award is that the action of the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad in dismissing from work Sarvashri (i) Mangal Kole, (ii) Bhim Kole, (iii) Maghoo Kole, (iv) Akloo Kole, (v) Bhanoo Kole, (vi) Manik Kole and (vii) Sanichar Kole, miners of West Katras

Section with effect from the 17th June, 1974 is justified. The workmen are entitled to no relief.

This is my award.

[No. L 20012/168/74/LRII/DIIA]

10th December, 1976 K. K. SARKAR, Presiding Officer

10th December, 1976

S.O. 129.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhulanbarree Colliery of Messrs Bharat Coking Coal Limited, Post Office Patherdih, District Dhanbad and their workmen, which was received by the Central Government on the 13th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 54 of 1975

In the matter of an industrial dispute under Section 10 (1) (d) of the Industrial Disputes Act, 1947.

(Ministry's Order No. L20012/61/74-LRII/D. III(A) dated 31st May, 1975).

PARTIES :

Employers in relation to the management of Bhulanbarree Colliery of M/s. Bharat Coking Coal Limited, Post Office Patherdih District Dhanbad.

AND

Their Workmen.

APPEARANCES :

On behalf of the Employers—Shri S. S. Mukherjee Advocate.

On behalf of the Workmen—Shri Samiran Pal, Advocate.

State : Bihar

Industry : Coal

Dhanbad, the 8th December, 1976

AWARD

The Government of India, Ministry of Labour sent the above reference to this Tribunal for adjudication of the Industrial dispute involved with the following issues framed :

SCHEDULE

"Whether the management of Bhulanbarree Colliery of Messrs Bharat Coking Coal Limited, Post Office Patherdih District Dhanbad, are justified in transferring Shri Ramchandra Nunia, Surface Munshi, from surface to underground without fulfilment of the service condition ? If not, to what relief is the workman concerned entitled ?"

The case of the workmen in short is that the concerned workman Shri Ramchandra Nunia was appointed in April 1966 as Sand Line Munshi on surface and the condition of the service was that he would be only employed on the surface. In the month of April 1968 he was transferred to work as Munshi underground despite his objection and he continued to work underground till 28-4-71. Thereafter he contracted a chest disease and he was admitted in the Central Hospital, Dhanbad. The Central Hospital found him to be a tuberculosis patient and he remained under treatment of the Central Hospital Dhanbad till he was discharged on or about 13-12-71 with the recommendation that the concerned

workman should be put on surface duties for at least three months. In view of the recommendation of the Central Hospital, Dhanbad the management put him on the surface duties from 17-12-71 to 12-3-72. It is alleged that on 4-2-74 the management issued an order transferring the services of the concerned workman underground. The concerned workman being aggrieved by this order appealed to the management to keep him on surface job but the management refused his prayer. According to the workmen the concerned workman being the T. B. patient was not physically fit to work as underground Munshi. This action is alleged to be unjustified. It is therefore prayed that the Tribunal may pass an order quashing the transfer order issued by the management and also for directing the management to allow him to work on surface and to pay him wages and other benefits from 4-2-74.

The case of the employer is that the concerned workman was appointed as Munshi on 4-4-66 and posted on the surface till April 1968 when he was transferred as an underground Munshi and he worked as such till 24-8-71 without any protest. According to the management by common usage and practice followed in the coal mining industry the services of the Munshi are interchangeable on the surface and underground. The management deny that the concerned workman was ever appointed as a surface Munshi or there was any service condition restricting his transfer from surface to underground and vice-versa. The concerned workman worked underground from April '68 to April '71. Thereafter he contacted tuberculosis and remained under treatment in the Central Hospital, Dhanbad. He was discharged from the Hospital with a medical certificate dated 13-12-71 recommending surface duties preferably three months. The management accordingly put him on surface duties from 17-12-71 and on the expiry of three months they allowed the concerned workman to continue on surface duties and he actually continued as such. Thereafter due to exigency of work the management issued an order transferring the concerned workman from surface to underground with effect from 4-2-74. The concerned workman did not carry out the transfer order but made a representation to the Manager of the Colliery. The management reviewed his case and perused the T. B. patient report Book issued by the Central Hospital which is popularly known as Red Book. It appears therefrom that he reported to the hospital on 18-5-72 for the last time. The management therefore being not satisfied about the case of the workman declined to review the earlier order of transfer. The concerned workman never joined his duties after he was transferred from surface to underground on 4-2-74.

3. The trouble arises from an order of the management transferring the concerned workman who is a Munshi from surface to underground. Two points taken before me from the side of the workmen are (1) that the concerned workman was appointed as a surface Munshi, and this being the condition of his service he cannot be transferred from surface to underground in breach of his service condition and (2) that he was a T.B. patient and not physically fit to work underground. The management denies the above contentions of the workmen. They deny that the concerned workman was ever appointed as a surface Munshi and he has not been proved to be unfit to work underground with effect from 4-2-74. From the side of the workmen nothing could be produced which goes to show that his appointment was as a surface Munshi once and for all. In para 6 of their written statement the management pleads that the concerned workman was appointed as Munshi, and was posted on surface as Sand Loader Munshi. According to the learned Advocate appearing for the management the concerned workman was appointed as Munshi but he was posted to work on the surface. Now admittedly the concerned workman was transferred in April 1968 to the post of underground Munshi and he worked there till 28-4-71 or so. In other words, the concerned workman worked as an underground Munshi for about 3 years. The case of the workmen is that inspite of his protest he was compelled to work underground for three years. The workmen have, however, could not prove by any evidence that the concerned workman protested against his transfer underground or that he worked for three years underground under protest. If actually there was any such protest the concerned workman would not have been left without any proof of some kind or other in this respect. So from the fact and circumstances, the only possible conclusion is that the concerned workman worked underground for three years i.e. up to April 1971 without any protest. When the concerned workman could not prove satisfactorily that his appointment was as surface Munshi, the plea that to work on the surface is a condition of his

service does not hold good. Shri T Prasad, who was Manager of the Bhulanbarree Colliery says in his evidence that it has been the practice in the collieries to transfer the workmen according to the requirement from underground to underground or from surface to underground or from underground to surface for similar nature of job. He further says that during his tenure of service as Manager of the Colliery he had occasions to transfer Munshis from surface to underground and vice versa. The concerned workman in his evidence as WW 1 admits that one Shri Yadav was employed on the surface after his transfer order. The Manager Shri T Prasad examined as MW 1 also says that one Ramdas Koiri and one Bahadur Singh who were working as underground to surface. It is also in the evidence of MW 1 that during his tenure as Manager in this Colliery the number of such transfers was 50 to 60. The factors taken into consideration for transferring workmen from one working place to another in the colliery are requirements and nature of job the person is performing. The learned Advocate for the management draws my attention to the attested copy of the Form B Register Ext M1 in which the concerned workman has been shown as underground Munshi and his date of appointment has been shown 24-3-66. This Form B Register appears to have been signed by the concerned workman. In view of the materials on record I can only hold that the workmen have failed to prove that his appointment was for surface Munshi only and for that matter any condition of service was breached by transferring the concerned workman from surface to underground due to exigency of work. Now I come to the second plea of the concerned workman about his physical unfitness to work as underground Munshi. Admittedly on or about April 1971 the concerned workman contracted tuberculosis and remained in the Central Hospital Dhanbad under treatment. Admittedly he was released from hospital on 13-12-71 with a medical certificate recommending that he should preferably be given surface job for about three months. The Red Book viz the treatment book in the Central Hospital which has been filed has been marked as Ext W9. It appears that the management followed the advice of the Central Hospital and placed the concerned workman to work on the surface from 17-12-71 to 12-3-72 or so. The case of the management is that even after the above period as recommended by Central Hospital they allowed the concerned workman to continue to work on the surface till 4-2-74. It will therefore appear that the Central Hospital recommended for his surface work for three months but the management allowed him to work there for more than two years. It therefore demolishes the case of the workmen that there was malafides on the part of the management in transferring him from surface to underground. Now admittedly after the management transferred him for underground duty on 4-2-74, the concerned workman never joined his duties but he sent some representations to the management claiming to remain on surface indefinitely as a part of his service condition. The several letters written by him to the Manager of the colliery at the management replies thereto are all on record. Not that the management completely ignored his prayer to remain on surface on compassionate ground. As a matter of fact it appears that the management wanted to review their earlier order of transfer they called for the Red Book. It appears from the Red Book that the concerned workman reported to the Central Hospital on 18-5-72 and never thereafter. The question before us is whether on 4-2-74 when he was transferred from surface to underground he was still suffering from tuberculosis or whether he was not medically fit to work underground. The learned Advocate for workmen submits that it was for the management to get satisfied by the medical examination of the concerned workman that he was fit to work underground. I do not think that this submission is quite reasonable. From Red Book it appears that once upon a time the concerned workman contracted T.B., he was hospitalized and then released with recommendation to work on the surface for three months only. So the medical opinion was not that he was physically unfit to work underground or his disease still persisted. The management actually went out of their way in keeping the concerned workman above ground for about two years instead of three months recommended by the Central Hospital, Dhanbad. There is nothing to show that when the management transferred him underground the concerned workman was still suffering from that once fell disease. If on 4-2-74 the concerned workman felt that the disease still persisted or that he was not medically fit to join to work underground it was for him to get him medically tested and to demand on the result of this medical test that he should not be sent underground. This was not done and I think that the management cannot be

much blamed if they did not consider it necessary to get the concerned workman medically tested before passing his transfer order. In his deposition the concerned workman says that he has no physical fitness to work underground and as such to work underground would aggravate his disease and his life may be in danger. In the absence of medical opinion it may be an apprehension. Of course a man who was once a victim of such disease may have psychological fear about the recurrence of that disease but that cannot be helped. In view of the facts and circumstances I do not think that the concerned workman has been able to prove his physical inability to work underground. I do not understand why he did not carry out the transfer order and continued to remain absent which extends upto this date. He should have joined his duty and after medical examination could show to the management his inability to work underground. He did not choose that path and I cannot accept the theory that 'once a disease always a disease'. None of the grounds as canvassed before me by the learned Advocate for the concerned workman viz there was breach of contract of service by his transfer underground and his physical unfitness to work underground have not been made out legally. Transfer is a managerial function and it cannot be interfered with unless there is malafide. I do not find any malafides on the part of the management. They went so far as to post him above ground for two years when the recommendation of the hospital was for three months only. In that view of the matter I cannot but hold that the management was not unjustified by transferring the concerned workman from surface to underground. I may mention here that only question posed in the issue framed by the Government is whether such transfer is unjustified by non fulfilment of the service condition. So the question of physical unfitness or disease is not an issue before us for adjudication. The issue for adjudication is the breach of service condition by transfer and as I have already dwelt at length there was no such service condition which could be breached by transfer order. Of course it would be an act of magnanimity on the part of the management if they keep him above ground to alleviate his apprehension once that he suffered from tuberculosis but that is their own affair.

4. In the result I hold that the management of Bhulanbarree Colliery of Messrs Bharat Coking Coal Limited, Post Office Patherdih, District Dhanbad, is not unjustified in transferring Shri Ramchandia Nunia, Surface Munshi, from surface to underground without fulfilment of the service condition. The concerned workman is therefore, not entitled to any relief.

This is my award

[No L 20012/61/74 LRH/DIII A]
K K SARKAR, Presiding Officer
New Delhi, the 21st December, 1976

S O 130.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No 2, Dhanbad in the industrial dispute between the employers in relation to the management of Jogidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad and their workmen, which was received by the Central Government on the 14th December, 1976

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO 2) AT DHANBAD

Reference No. 74 of 1975.

In the matter of an industrial dispute under section 10(1)(d) of the Industrial Disputes Act, 1947
(Ministry's order No L-20012/37/75D III A dated 19th July, 1975)

PARTIES

Employers in relation to the management of Jogidih colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad

AND

Their Workmen

APPEARANCES

On behalf of the employers—Shri S S Mukherjee
Advocate

On behalf of the workmen—Shri Lalit Burman, Secretary, United Coal Workers Union, Dhanbad.

State : Bihar

Industry : Coal.

Dhanbad, the 9th December, 1976

AWARD

The Government of India, Ministry of Labour sent the above reference to this Tribunal for adjudication of the industrial disputes involved with the following issues framed :

SCHEDULE

"Whether the action of the management of Jogidih colliery of Messrs Bharat Coking Coal Limited, Post office Tundoo, District Dhanbad in stopping from work the following workmen with effect from the date mentioned against each, is justified? If not, to what relief are the said workmen entitled?"

Sl. No.	Name of the worker	Designation	Date of stoppage
1	Gopi Turi	Overburden Remover	22.3.1973
2	Shuker Turi	—do—	March, 1973
3	Banshi Turi	—do—	6.3.1973
4	Banessa Turi	—do—	22.3.1973
5	Bano Turi	—do—	24.3.1973
6	Chelu Turi	—do—	24.3.1973
7	Margur Turi	—do—	24.3.1973
8	Modan Turi	—do—	22.3.1973
9	Gajo Turi	—do—	24.3.1973
10	Bhutar Das	—do—	22.3.1973
11	Puryag Das	—do—	24.3.1973
12	Jethu Mahato	—do—	23.3.1973
13	Bhola Mahato	—do—	24.3.1973
14	Gangadhar Singh	—do—	24.3.1973
15	Bhikhari Mahato	—do—	13.3.1973
16	Jhari Kumar	—do—	24.3.1973
17	Gobardhan Turi	—do—	20.3.1973
18	Kathu Das	—do—	24.3.1973
19	Chhotu Turi	—do—	20.3.1973

The learned Advocate Shri S. S. Mukherjee appearing for the employers raises a preliminary point to the effect that the Reference is not maintainable which is opposed by the workmen represented by Shri Lalit Burman.

There are 19 workers involved in this Reference whose designations are overburden remover. All of them were stopped from work on different dates in March, 1973. The learned Advocate for the employers submits that Jogidih colliery which is involved in this case was nationalised w.e.f. 1-5-1973 and the stoppage of the workmen having taken place prior to the appointed day viz. 1-5-1973 the Reference is not maintainable against the nationalised colliery of M/s. Bharat Coking Coal Limited. He refers to Section 7 and 28 of the Coal Mines (Nationalisation) Act, 1973. Section 7 of the Coal Mines (Nationalisation) Act provides as follows :

7. (1) Every liability of the owner, agent, manager or managing contractor of a coal mine, in respect of any period prior to the appointed day, shall be the liability of such owner, agent, manager or managing contractor, as the case may be, and shall be enforceable against him and not against the Central Government or the Government company.

(2) For the removal of doubts, it is hereby declared that :—

(a) save as otherwise provided elsewhere in this Act, no claim for wages, bonus, royalty, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a coal mine in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to any coal mine passed after the appointed day, but in relation to any matter, claim or dispute which arose before

that day, shall be enforceable against the Central Government or the Government company;

(c) no liability for the contravention, before the appointed day of any provision of law for the time being in force, shall be enforceable against the Central Government or the Government company.

Section 28 of the Act provides as follows :

28. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force of in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

The learned Advocate appearing for the workmen refers to Section 14 and Section 16 of the Nationalisation Act. It is further submitted by him that it's a case of stoppage of work and not a case of termination of services of the concerned workmen and accordingly the concerned workmen will be deemed to be continuing in service. It appears from Section 7 of the Nationalisation Act that the appointed day viz. 1-5-1973 has been made the target date and any liability for any period prior to the appointed day shall not be enforceable against the Central Government or the Government company. It also provides that no claim for wages, bonus or any other dues in relation to a coal mine in respect of any period prior to the appointed day shall not be enforceable against the Central Government or Government company. It further says that any award in relation to any coal mine passed after the appointed day, but in relation to any matter, claim or dispute which arose before that day, shall not be enforceable against the Central Government or the Government company. According to Section 28 of this Act the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law. It appears that all the cases of stoppage of work in this Reference took place after the take over of the coal mine by the Government on 30-1-73 after the management of the colliery was entrusted to a Custodian. The question arises if in such circumstances the Government or the Government company should or should not be made liable for any dispute or claim in respect of a period prior to the appointed day. Whatever may be the merits of such a claim or dispute the Act itself has put a ban on the enforceability of such claim or dispute against the Central Government or the Government company after the appointed day. In other words as the learned Advocate for the employers submit a blanket protection has been given to the Government after the nationalisation of the colliery. According to Section 14(1) of the Act every person who is a workman within the meaning of Industrial Disputes Act and has been immediately before the appointed day in the employment of a coal mine shall become on and from the appointed day an employee of the Central Government. In this particular case the workmen were stopped from work in the month of March, 1973 and the appointed day is on 1-5-73. In that view of the matter it cannot be said that the concerned workmen had been immediately before the appointed day in the employment of a coal mine. So, Section 14(1) of the Act cannot be squarely applied in the present case. Even if it were otherwise, I do not think that Section 14 by itself can help the concerned workmen in this case. Section 14 is controlled by Section 7 of the Industrial Disputes Act. It is further submitted by the learned representative of the workmen that it is not a case of termination of service but it is a case of stoppage of work so far as the concerned workmen are concerned. In my opinion stoppage of work or termination of the service amounts to the same thing so far as the liability of a nationalised mine is concerned. Section 7 of the Nationalisation Act stipulates that the Central Government or the Government company will not be liable for any claim which took place prior to the appointed day. Either it is a stoppage from work or it is a termination of service or a claim or a dispute which arose prior to the appointed day. This being a claim or a dispute arising before the appointed day is not maintainable against M/s Bharat Coking Coal Limited who is a Government company owning the nationalised coal mine. The Reference therefore fails.

This is my award.

[No. L 20012/37/75/DIIA]

K. K. SARKAR, Presiding Officer.

S.O. 131.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Akashkinaree Colliery, Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad and their workmen, which was received by the Central Government on the 14th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

Reference No. 53 of 1975

In the matter of an industrial dispute under Section 10 (1)(d) of the Industrial Disputes Act, 1947.

(Ministry's Order No. L-20012/153/74-LR-II/DIIA Dt. 26th May, 1975)

PARTIES :

Employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad.

AND

Their Workmen.

APPEARANCES :

On behalf of the Employers.— Shri S. S. Mukherjee, Advocate.

On behalf of the Workmen.—Shri P. K. Bose, Advocate.

State : Bihar

Industry : Coal.

Dhanbad, the 9th December, 1976

AWARD

The Government of India, Ministry of Labour sent the above reference to this Tribunal for adjudication of the industrial dispute involved in the reference with the following schedule of issues framed :

SCHEDULE

"Whether the action of the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad, in dismissing from service Shri Chedi Sing, Chaprasi, with effect from 25-1-1974, is justified? If not, to what relief is the workman entitled and from what date?"

2. In this case the employers charged the concerned workman with some acts of misconduct. A domestic enquiry was held to enquire into the charges of misconduct which returned a verdict of guilt against the concerned workman. The Employers on the basis of findings of the domestic enquiry dismissed the concerned workman from service with effect from 25-1-74. The workmen challenge the validity of the domestic enquiry on the ground that it was a show of enquiry in which the principles of natural justice were not observed and the concerned workman was not allowed opportunity to defend his case.

3. On the prayer of the parties the case was fixed for hearing on the validity of domestic enquiry. In this hearing the employers examined the enquiry officer and Shri P. K. Bose learned Advocate representing the workman cross-examined the employers witness. At the time of argument the learned Advocate representing the workmen gave up his attack on the validity of the domestic enquiry. His submission is that the enquiry officer without any satisfactory evidence returned a verdict of guilt against the concerned workman and he submits that the Tribunal should re-appraise the evidence led in the domestic enquiry and set aside the findings of the enquiry officer and pass orders reinstating the concerned workman invoking the aid of Section 11A of the Industrial Disputes Act read with the decision of the Supreme Court in the case workmen of Firestone Tyre & Rubber Co.-vs-the management as reported on 10 S.C.L.J. 159. So what it comes to is that a proper and valid domestic enquiry was held by the employers and the question remains if, in such circumstances, the Tribunal can reappraise the evidence as adduced

in the domestic enquiry and disagree with the findings of the domestic enquiry if it so transpires and set aside the order of dismissal straight away under Section 11A of the Industrial Disputes Act and in the light decision of the Supreme Court in the Firestone Case, Shri S. S. Mukherjee learned Advocate for the employers while agreeing that under Section 11A of the Act the Tribunal can now reappraise the evidence in the domestic enquiry and disagree with its findings and set aside the order of dismissal, submits that before doing so the employers should be given a chance to adduce additional evidence in justification of their action. According to him the Supreme Court in the case of Firestone Rubber & Tyre Co. has not taken away the right of the employers to adduce additional evidence in such circumstances. He refers to the Proviso of Section 11A of the I.D. Act and submits that the words "on the materials on record" finding place in the above proviso do not mean only the evidence adduced by the employers at the enquiry and the proceedings of the enquiry but they also mean additional evidence being led before the Tribunal by the employers in support of the action taken by them. He refers to the decision of the Supreme Court as above on the aspect of "materials on record", which aspect I will have occasion to discuss hereafter. So what Shri Mukherjee submits is that even if the enquiry held by the employers is valid, the employers have to be given a chance to adduce additional evidence on merit in justification of their action. For reasons which I will be just now discussing I cannot agree with the submissions of Shri Mukherjee in regard to the Proviso of the Section 11A of the I.D. Act and his submission with regard to decisions of the Supreme Court as above. The plea that it was only a hearing on the validity of the domestic enquiry and as such there should always be another hearing on merit is a plea, in my opinion, of the bygone days, i.e. before the introduction of Section 11A and before the decisions of the Supreme Court in the Firestone Tyre & Rubber Co. case, according to which the whole law has been practically changed. In this connection I should refer to the decision of the Supreme Court in the above case which is relevant for our purpose. I may refer to paragraph 36 of 10 S.C.L.J. page 159 at page 182 where the Supreme Court holds that if there has been no enquiry by the employers or if the enquiry held is defective, it is open to the employer even now to adduce evidence for the first time before the Tribunal justifying the order of discharge or dismissal. The words "even now" as used above are important. The words "even now" connotes that before the introduction of Section 11A of the I.D. Act, where there has been no enquiry held by the employer or when the enquiry held is defective the employer had the right to adduce evidence for the first time before the Tribunal in justification of their action. They further connotes that even after the introduction of Section 11A where there has been no enquiry held by the employer or where the enquiry held is defective it is even now open to the employer to adduce evidence before the Tribunal justifying their order of discharge or dismissal. It will therefore appear that one thing is common both before the introduction of Section 11A and after the introduction of Section 11A and that common thing is "where there has been no enquiry held by the employer or where the enquiry held is defective". If that be so I wonder where is the scope of the employer to adduce additional evidence in support of their action when and where there has been a valid enquiry. It therefore boils down to this that where a valid domestic enquiry has been held by the employer there can be no scope for them to adduce additional evidence in support of their action. In connection I may again quote the concluding sentence of paragraph 36 in 10 S.C.L.J. 182. The sentence is "...this right in the management to sustain its order by adducing independent evidence before the Tribunal, if no enquiry has been held or if the enquiry held is defective, (underlining mine), has been given judicial recognition over a long period of years. Here also the Supreme Court speaks about the right of the management to adduce independent evidence only when no enquiry has been held or the enquiry held is found defective. It is relevant now to refer to paragraph 35 of 10 S.C.L.J. 159 at page 181 which is as follows : "We will first consider cases where an employer has held a proper and valid domestic enquiry before passing the order of punishment. Previously the Tribunal had no power to interfere with its findings of misconduct recorded in the domestic enquiry unless one or other infirmities pointed out by this Court in Indian Iron & Steel Co. Limited existed. The conduct of disciplinary proceeding and the punishment to be imposed were all considered to be a managerial function with which the Tribunal had no power to interfere unless the finding was perverse or the punishment was so harsh as to lead

to an inference of victimization or unfair labour practice. The position in our view has now been changed by Section 11A. The words "in the course of the adjudication proceeding, the Tribunal is satisfied that the order of discharge or dismissal was not justified" clearly indicate that the Tribunal is now clothed with the power to reappraise the evidence in the domestic enquiry and satisfy itself whether the said evidence relied on by an employer established the misconduct alleged against the workmen". Now, I may pause here for a moment. The Supreme Court says that the Tribunal is now clothed with the power to reappraise the evidence in the domestic enquiry. Reappraisal by the Tribunal can be only reappraisal of the evidence as adduced in the domestic enquiry. How there can be a reappraisal of the evidence which is not yet born, that is, the independent evidence which is sought for by the learned Advocate appearing for the employers in justification of their action. Then I may continue to quote the decision of the Supreme Court "what was originally a plausible conclusion that could be drawn by an employer from the evidence has now given place to a satisfaction being arrived at by the Tribunal that the finding of the misconduct is correct. The limitation imposed on the power of the Tribunal by the decision in Indian Iron & Steel Co. case can no longer be invoked by the employer. The Tribunal is now at liberty to consider not only whether the findings of the misconduct recorded by an employer is correct, but also differ from the said finding if a proper case is made out. What was once largely in realm of construction of the employer has ceased to be so and now it is the satisfaction of the Tribunal that finally decides the matter". I may now refer to some portion of paragraph 33 of 10 S.C.L.J. 159 at page 180 which is as follows : "This will be a convenient stage to consider the contents of Section 11A. To invoke Section 11A it is necessary that an industrial dispute of the type mentioned therein should have been referred to an industrial Tribunal for adjudication. In course of such adjudication the Tribunal has to be satisfied that the order of discharge or dismissal was not justified. If it comes to such a decision the Tribunal has to set aside the order and direct reinstatement of the workman on such terms as it thinks fit. The Tribunal has also power to give any other relief to the workman including the imposition of lesser punishment having due regard to the circumstances. The Proviso casts a duty on the Tribunal to rely on the materials on record and prohibits it from taking any fresh evidence. Even a mere reading of the Section does indicate that a change in the law as laid down by this Court has been affected". A careful reading of the above observations of the Supreme Court I think makes it amply clear that when there has been a valid enquiry held by the employer there can be no question of allowing the employers to adduce independent evidence over again in justification of their action. In my opinion it is also amply clear that the question of allowing the employers to adduce independent evidence comes only in those cases where no enquiry has been held or where the enquiry held is defective.

4. Now I may come to consider the decision of the Supreme Court in regard to "materials on record" as they find place in the Proviso to Section 11A of the I.D. Act. According to the Supreme Court "materials on record" take in :—

- (1) the evidence taken by the management at the enquiry and the proceedings of the enquiry, or
- (2) the above evidence and in addition any further evidence led before the tribunal, or
- (3) evidence placed before the Tribunal for the first time in support of the action taken by an employer as well as the evidence adduced by the workmen centre.

In my opinion for a clear understanding of what the Supreme Court has said on "materials on record", the matter should not be torn from its context. It appears that before the Supreme Court it was urged from the side of the workmen that in view of Section 11A of the I.D. Act and the proviso thereto it is now obligatory on the part of the employers to hold a domestic enquiry and where no such enquiry was held it was not open to the employer to adduce evidence before the Tribunal in justification of their action. It was further urged in the Supreme Court that if no such enquiry has been held the Court can straightway pass orders for reinstatement of the workman without giving any chance to the employer to adduce additional evidence in support of their action. It appears that the Supreme Court did not agree with this submission. The Supreme Court observes that under Section 11A the right of the employers to adduce evidence before the Tribunal has not been taken away after the introduction of section 11A. So we may consider what was the right en-

joyed by the employer before which has not been taken away by Section 11A. The right of the employer to adduce additional evidence before the Tribunal existed only in those cases where no enquiry was held or the enquiry held was defective. That right has not been taken away can therefore mean the right of the employer to adduce independent evidence where no enquiry was held or the enquiry held was defective. The observation of the Supreme Court in this connection is relevant. While dealing on the aspect of "materials on record" the Supreme Court observes that from the proviso it is not certainiy possible to come to the conclusion that when once it is held that an enquiry has not been held or is found to be defective, an order reinstating the workman will have to be made by the Tribunal. This also covers a case where no enquiry has been held or the enquiry held is found to be defective. The decision of the Supreme Court in paragraph 51 is that the Tribunal can interfere with the findings of the domestic enquiry and also with the punishment meted out to the workman on the basis of their findings. Then the observation of the Supreme Court is that when such wide powers have been conferred on the Tribunals, the legislature obviously felt that some restrictions has to be imposed regarding what matter could be taken into account. Such restrictions are found in the proviso. The proviso emphasises that the Tribunal has to satisfy itself one way or the other regarding misconduct, punishment and relief to be granted to workman only on the basis materials on record before it. The Tribunal for the purpose referred to above cannot call for further or fresh evidence as an appellate authority may normally do under a statute when considering the correctness or otherwise of an order passed by a subordinate body. The Supreme Court no doubt says that the materials on record take in :—

- (1) the evidence taken by the management at the enquiry and the proceedings of the enquiry, or
- (2) the above evidence and in addition any further evidence led before the tribunal, or
- (3) evidence placed before the Tribunal for the first time in support of the action taken by an employer as well as the evidence adduced by the workmen centre.

I have already discussed about this aspect of the Supreme Court decision with reference to the context. The context is that from the side of the workmen it was submitted before the Supreme Court that where no enquiry held by the employer or the enquiry held was defective, the Tribunal may straightway pass order to reinstate the aggrieved workman without giving any opportunity to the employers to adduce independent evidence in support of their action. The Supreme Court said 'no', where the employers have held the enquiry but the enquiry found defective the employers should be given the chance to adduce evidence in support of their action. In my opinion the decision of the Supreme Court on materials on record as in (1), (2) and (3) above covers all conceivable circumstances that may arise. They cover cases where no enquiry has been held or enquiry held is found to be defective and they also cover cases where a proper and fair enquiry has been held by the employers. In my opinion (1) of the Supreme Court as stated above covers cases where a proper and valid enquiry has been made. Sub-para (2) of the Supreme Court as above is an alternative to sub-para (1). In my opinion this sub-para (2) covers cases where no domestic enquiry has been held or the domestic enquiry held is defective. Sub-para (3) of the Supreme Court as above also covers cases where there is no enquiry or the enquiry is found to be defective. Taking into consideration all facts and circumstances, only in those cases where no domestic enquiry was held or where the domestic enquiry held is found defective do the employers get a chance to adduce independent evidence in support of their action. In short my finding is that after the introduction of Section 11A of the I.D. Act the Tribunal can reassess the evidence in the domestic enquiry and can disagree with the findings of the domestic enquiry without affording further opportunity to the employer to adduce independent evidence in respect of those cases where proper and valid enquiry has been held. It is only when no proper and valid enquiry has been held can the employers be afforded opportunity to adduce independent evidence in support of their action. In the case under reference before me the learned Advocate for the side of the workmen while conceding the validity of the domestic enquiry made his submissions as to why the findings of the enquiry officer should be interfered with. The learned Advocate for the employers holding a different view told otherwise. It was a case of assault to an officer of the colliery which is alleged to be of no mean order only the officer alleged to have been assaulted gave

evidence before the domestic enquiry without any other witness corroborating the same. The concerned workman also gave his evidence before the domestic enquiry without examining any further witness from his side. The learned Enquiry Officer observes that both the aggrieved officer and the aggrieved concerned workman are independent witnesses and jumps upon the conclusion that the aggrieved officer should be believed. On such finding he thought that the charge was substantiated against the concerned workman which ultimately costs the job of the concerned workman. On reappraisal of the evidence I cannot agree with the finding of the Enquiry Officer and in the facts and circumstances of the case I hold that the charge of misconduct against the concerned workman has not been proved. So the punishment of dismissal is unwarranted and should be set aside.

5. In result, I hold that the action of the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited, Post Office Sonardih, District Dhanbad, in dismissing from services Shri Chedi Singh, Chapasi, with effect from 25-1-1974, is not justified. The concerned workman be reinstated in his original job with full back wages and continuity of service.

This is my award.

[No. L 20012/153/74-LR.II/D.IIIA]
K. K. SARKAR, Presiding Officer

New Delhi, the 22nd December, 1976

S.O. 132.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhurkunda Colliery, Post Office Bhurkunda, District Hazaribagh and their workmen, which was received by the Central Government on the 14th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 76 of 1975

In the matter of an industrial dispute under Section 10 (1) (d) of the Industrial Disputes Act, 1947.
(Ministry's Order No. L-20012/122/72-LR.II/D. O. IIIA,
Dated 3rd July, 1975).

PARTIES : Employers in relation to the management of Bhurkunda Colliery Post Office Bhurkunda, District Hazaribagh.

AND

Their workmen

APPEARANCES :

On behalf of the Employers : Shri T. P. Choudhury,
Advocate.

On behalf of the Workman : Shri Lalit Burman, Secretary, United Coal Workers' Union.

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, the 8th December, 1976

AWARD

The Government of India, Ministry of Labour sent the above reference to this Tribunal for adjudication of the industrial dispute involved with the following schedule of issues framed :—

SCHEDULE

"Whether the management of Bhurkunda colliery, Post Office Bhurkunda, District Hazaribagh is justified

in not treating Shri Ramadhar Singh and Shri Parsadi Mahto working as Salesman and Cook respectively in the departmental Colliery Canteen, as Colliery employees ? If not, to what relief are these workmen entitled in respect of their wages and other services conditions and from what date ?"

The case of the workmen in short is that the management of Bhurkunda Colliery of Messrs N. D. M. C. Limited is maintaining and running a canteen as per the provision of the Mines Rules 1955. The two concerned workmen viz Ramadhar Singh and Parsadi Mahto were employed by the management of the colliery as sales man and Cook respectively from the starting of the canteen along with other workmen. The two concerned workmen were being paid Rs. 70/- per month which was raised to Rs. 100/- per month from August 1974 while as per the National Coal Wage Agreement the total emoluments of these workmen should be Rs. 429/- with effect from 1-1-75. The management of the colliery do not treat these workmen as their employees nor do they give them their due wages and other facilities. Hence is the prayer that the concerned workmen should be declared as employees of the colliery and be paid due wages and allowed other privileges.

The case of the employers in short is that there is no employers-employees relationship between them and the concerned persons. The two concerned persons cannot be deemed to be employees of the mine under the Mines Act. It is alleged that the canteen is managed and run by the workers on cooperative principles. The employers have provided the workers with accommodation, coal, utensils etc. to run the canteen. The management of the canteen gets its supply of food stuff from the cooperative stores. The management on the request of the workmen deputed some persons from colliery strength to run the canteen initially on deputation basis reserving their right to withdraw the staff any time. As a matter of fact some of those employees on deputation have since been withdrawn. The two concerned workmen were appointed by the managing committee of the canteen as additional hands and their wages have been paid by the authority running the canteen from their own resources. According to the employers the reference is incompetent both on law and facts.

3. I shall first take up the case on facts and thereafter on law as raised by the employers. The two points which are relevant for our purpose are (1) Whether the management of the colliery started the canteen and is running the same and (2) if the concerned persons were appointed by the employers and are being paid by them. It appears that the provision with regard to canteens in the colliery takes its root from the National Labour Commission's recommendations and some statutory rules viz Indian Mines Rules. In para 10.35 of the recommendations of the National Labour Commission it is stipulated that canteens should preferably be run by the workers themselves on cooperative principles. Workers should be associated with running of the canteens and where canteens are run on cooperative basis the employers should give subsidies in the shape of free accommodation, fuel and light, furniture and utensils, among other things. The provision with regard to canteens finds place in Chapter IX of the Indian Mines Rules 1955. Rule 64 provides that every mine there shall be provided within the precincts of the mine a canteen for the use of all persons employed. Rule 65 deals with the standard of the canteens and Rule 66 provides for the furniture and equipment of a canteen. Rule 67 deals with the cleanliness of a canteen. Rule 68 is important for our purpose. Sub-rule 1 provides that every canteen shall be run by the owner, agent or manager thereof who shall appoint supervisory staff for proper working of the canteen. Sub-rule 2 provides that notwithstanding anything contained in sub-rule 1 where the workers offer to run the canteen themselves and for this purpose organise a cooperative society, they shall be permitted to do so with financial assistance of the management. Then Rule 69 provides that the Owner, agent or the manager shall appoint a canteen managing committee from time to time as to the management and the working of the canteen. It is not necessary for us to look to other rules in this regard. The case of the workmen is that the canteen is run by the employers and the two concerned workmen are being paid by the employers. From the side of the workmen non has been examined in support of their case. From the side of the employers Shri C. M. Kishore who was the Welfare Officer in Bhurkunda colliery till December, 1975 has been examined as MW. 1. His evidence is that the workmen are looking after the management of the canteen and on the request of the workmen the management provided them a building, crockeries,

utensils, furniture and fittings. It is also in his evidence that the employers supplied some staff to the canteen committee for work and these staff go on changing. The concerned workmen Ramadhar Singh and Parasadi Mahto according to his evidence were engaged by the workers committee and the management i.e. employers have no manner of control over the person. This witness in cross-examination says that a workers committee has been constituted by the workers themselves and the cooperative stores has a separate executive committee. The learned Advocate for the employers refers me to a hazard and payment register which is marked Ext. M 3. This register shows the attendance of five persons including the two concerned persons and also shows the payment of wages made to them. This Register goes to show that the canteen committee is giving pay to the concerned persons. From the side of the workmen nothing is forthcoming to show that the canteen is run departmentally by the employers or that the two concerned persons were appointed and are being paid by the employers. Of course the employers admit that on the request of the workers they deputed some staff from the colliery strength on deputation basis and some of them have already been withdrawn. The learned representative of the workmen submits that is the statutory obligation of the employers to set up and run a canteen and there is no evidence that the workers formed a cooperative. It may be that the existence of cooperative society is not much in evidence but that does not vitiate everything. If no cooperative society has been formed by the workers as yet, it cannot be helped. The case of the management is that the canteen is run by the managing committee of the workers on cooperative principles, that is, on no loss no profit basis. The workmen in their written statement admits that there are two types of management to run the canteen, one by the management of the mine and the other by the workers by organising a cooperative society. So not that the canteens must be run departmentally but we have it from the recommendation of the National Labour Commission and Rule 68(2) of the Mines Rules that the canteen can be run either departmentally or where the workers so desire by the workers themselves. From the evidence of MW. 1 and other materials on record and in the absence of the evidence from the side of the workmen I am inclined to accept the case of the employers that the canteen in the colliery is not departmentally run by the employers, but by the workers themselves. With regard to the question as to the appointment of the two concerned persons the workmen have failed to prove to any extent that they were appointed by the employers and are being paid by the employers. The employers admit that having given some staff on deputation to work in the canteen who, I suppose, are getting their due wages from the management, and there is no reason why the two concerned persons should be singled out by the employers not to give them the status of colliery employees or their wages as per the Coal Wages Recommendations for Coal Mining Industry, had it not been the fact that the two concerned persons were additional hands engaged by the management of the canteen and paid by them.

4. The learned Advocate for the employers submits that the two concerned persons are not employees of the mines and so the reference is incompetent being without jurisdiction. In this connection he refers to Section 2(h) of the Mines Act and to a decision of the Supreme Court in the case between Sirazuddin & Co. vs. their workmen as reported in 3 S. C. L. J. page 1800. It appears that according to law a person is said to be employed in the mine who works under appointment by or with the knowledge of the manager whether for wages or not, in any mining operation or in cleaning or oiling any part of machinery used in or about the mine or in any other kind of work whatsoever incidental to or concerned with mining operation. In the case under reference there is nothing to show that two concerned persons works under the appointment by or with the knowledge of the manager or in any mining operation or in any other way as provided in Section 2 (h) of the Mines Act. In Sirazuddin case it is held by the Supreme Court that under the Mines Act Office of the mine is not necessarily a mine and the employers thereof cannot necessarily be said to the persons employed in a mine. Therefore dispute between them is not a dispute as per Section 2(h)(i) of the Industrial Disputes Act. The employers of the office cannot be said to be engaged in a work which is incidental to or connected with the mining operations.

The same analogy can be applied in the case of persons working in the canteen or employees of the canteen unless of course they are employees from the colliery strength. The case of the two concerned workmen is still worse as they according to my findings were additional hands employed by the canteen committee. In the same way it can be said that

the canteen staff appointed by the canteen committee or otherwise cannot be said to be workmen employed in the coal mining industry as they are not engaged in the process of manufacture of coal or any work incidental thereto. On the basis of my findings there is no employer-employee relationship as between the management and the concerned persons and the case of the workmen also falls on this score.

5. In the result, I hold that the management of Bhurkunda Colliery, Post Office Bhurkunda, District Hazaribagh is justified in not treating Shri Ramadhar Singh and Parasadi Mahto working as Salesman and Cook respectively in the colliery canteen, as colliery employees. Accordingly they are entitled to no relief.

This is my award.

K. K. SARKAR, Presiding Officer
[No. L 20012/122/72-LRII/D IIIA]
S. H. S. IYER, Desk Officer

New Delhi, the 17th December, 1976

S.O. 133.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Ahmedabad in the industrial dispute between the employers in relation to the management of Messrs Schlumberger Seaco (Inc.) South Asia Division and their workman, which was received by the Central Government on the 15th December, 1976.

BEFORE SHRI M. U. SHAH, B.A., LL.B., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, AHMEDABAD

Reference (ITC) No. 1 of 1976

Ajudication

BETWEEN

Messrs. Schlumberger Seaco (Inc.), South Asia Division,
New Delhi.

AND

Their Workman

In the matter of termination of services of Shri Augustine Vincent, Unskilled worker.

APPEARANCES:

Shri S. M. Gandhi, advocate, with Shri C. K. Singhal, Centre Manager of the Company, for the Company.
Shri V. H. Dixit for the Workman, with Shri Augustine Vincent, who is also present in person.

Ahmedabad, the 9th December, 1976

AWARD

This industrial dispute between the parties herein has been referred to me for my adjudication by the Government of India, Ministry of Labour, by its Order of Reference No. L-30012(4)/75-D-IV(B), dated the 6th January, 1976, in exercise of its powers under Section 7A, read with Section 10(1)(d) of the Industrial Disputes Act, 1947, (India Act No. XIV of 1947). The dispute as set out in the Schedule to the order of reference (Ex. 1), reads :

"Whether the action of the management of Messrs. Schlumberger Seaco (Inc.) South Asia Division, 6-Defence Colony, New Delhi in terminating the services of Shri Augustine Vincent, Unskilled worker with effect from 9-11-1972 was justified? If not, to what relief is the said workman entitled?"

The parties have filed their respective statements and documents. The case of the workman concerned, viz., Augustine Vincent, is that he was serving in the company for about two years with effect from 26-4-1971 and he was orally and summarily discharged from 8th November, 1972. His case further is that there were two junior workers who were appointed permanently in Ahmedabad office and transferred to Bombay for the same work, but he had received a letter, dated 7th October, 1975, along with a cheque of Rs. 1140, informing him that the company is closing down upon the termination of its contract with the Oil & Natural Gas Commission. According to the workman concerned, he could have also been transferred to Bombay for the same work as the other two junior workers, viz., one Shri Glen Miller

and another Shri Pramod Chakravorty (Gupta), but he has been wrongly dealt with. The company has filed its written statement (Ex. 3), contending that the undertaking has been closed down in the Gujarat region and as such this is a reference against a dead body and is not legally maintainable. It has contended that there is no industrial dispute existing between the parties. It has contended that the concerned workman was appointed by the branch officer of Ahmedabad as casual labour and his service was also terminated by the branch officer of Ahmedabad; that the company had contract with the Oil & Natural Gas Commission, Gujarat region, for a limited period and the last contract was upto about June, 1975; that as per the said contract the company was working as electro-logging engineers for the Oil & Natural Gas Commission and used to work only in oil fields just to find out whether oil was there in the land or not and at what depth oil would be struck and what would be the quantity available and for how long it would last. It has contended that the work of this company was of a temporary nature and as the work in the Gujarat region was over, the said contract with the Oil & Natural Gas Commission, Gujarat Region, came to an end near about June, 1975. It has further contended that as the work of the company in the Gujarat region was completely wound up or, so to say, closed, services of all the workmen were terminated in the middle of 1975 and the branch office at Ahmedabad was completely closed since 1-9-1975. It has raised other technical objections like the jurisdiction of this Tribunal and the competency of this reference. A number of documents have been filed by the company. With the list (Ex. 6), the company has filed 22 documents. With the list, (Ex. 4), the company has filed 6 documents. The deposition of the workman concerned, viz., Augustine Vincent, was recorded at Ex. 7 and in his deposition documents, Exs. 8 to 20 were exhibited. After the evidence for the workman was closed, Shri C. K. Singhal's deposition was being recorded at Ex. 21. Before his cross-examination could be continued further, there was another round of discussions with the parties and the parties have finally resolved the dispute amicably and to their satisfaction.

As aforesaid, the dispute relates only to one workman, viz., Augustine Vincent, an unskilled worker, whose services were terminated from 9-11-1972. According to the company and as shown in the documents (Exs. 8 to 20), the said workman was a casual worker and paid only for the days he worked. According to the workman, his juniors have been transferred to Bombay, although the company has closed down its office in Gujarat, and that he should have been transferred and his services have been wrongly terminated. The parties have contested this dispute with some heat, but after rounds of discussion with the learned advocates of the parties and with Shri C. K. Singhal, the dispute has been amicably resolved. The parties have filed the memorandum of settlement resolving the dispute. It is signed by the Centre Manager for the company, viz., Shri C. K. Singhal, the workman concerned, viz., Augustine Vincent, and the learned advocates for the workman and the company. It provides that the first party company shall pay Rs. 4,500 in full and final settlement of all the claims of the second party workman against the first party company. The said amount is to be paid within two weeks. It further provides that the second party workman does not press for reinstatement or re-employment or any other relief. The terms of settlement are duly admitted and acknowledged before me by the parties and by the learned advocates. I find the settlement to be fair and reasonable and in the interest of industrial peace. I accordingly admit it on the record at Ex. 23 and make this award in terms thereof. Ex. 23 shall form part of this Award. The company agrees to pay a sum of Rs. 250 (Rupees Two hundred and fifty only) as costs of this Reference to the workman, through his advocate, Shri V. H. Dixit.

It appears that the company has changed its address and the new address as given by Shri S. M. Gandhi for the company, is as under :

Messrs. Schlumberger Seaco (Inc.)
South Asia Division,
3rd Floor,

Jolly Maker Chamber II,
Nariman Point,
Bombay.

This Award may, therefore, be sent at the aforesaid address.

M. U. SHAH, Presiding Officer

Ahmedabad, 9th December, 1976.

122 G. of I./76-8

EX-23

BEFORE THE HONOURABLE INDUSTRIAL TRIBUNAL,
GUJARAT, AHMEDABAD

Reference (IT-C) No. 1 of 1976

First Party :—M/s. Schremberger Seaco (Int);

AND

Second Party :—Augustine Vincent.

May please the Honourable Court.

The parties hereby file a settlement as under :—

1. That the first party company shall pay Rs. 4,500 in full and final settlement of all the claims of the second party workman against the first party company. The amount to be paid within two weeks.

2. That the second party workman does not press for re-instatement or re-employment or any other relief.

The parties pray the Honourable Tribunal to pass an award in terms of above settlement.

Ahmedabad,

Date : 9-12-1976.

Sd/- Illegible.
Advocate for
Company.

Sd/- Illegible.
Centre Manager,
First Party.

Sd/- Illegible.
Second Party.

Sd/- Illegible.
Advocate for the workman.

9-12-76.

M. V. SHAH, Presiding Officer

[No. L-30012(4)/75-D-IV(B)]

BHUPENDRA NATH, Desk Officer

New Delhi, the 15th December, 1976

S.O. 134.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras, in the industrial dispute between the employers in relations to the management of the Food Corporation of India, Madras and their workmen, which was received by the Central Government on the 10th December, 1976.

BEFORE THIRU T. N. SINGARAVELU, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted, by the Central Government)

Tuesday, the 23rd day of November, 1976

Industrial Dispute No. 85 of 1975

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Food Corporation of India, Madras.)

BETWEEN

The workmen represented by

The President, The Transport and Dock Workers' Union,
13-B, Second Line Beach, Madras-1.

AND

The Zonal Manager, Food Corporation of India, Anand Building, Mount Road, Madras-6.

REFERENCE :

Order No. L-42012(39)/74-LR. III/D. II(B), dated
4-12-1975 of the Ministry of Labour, Government
of India.

AWARD

This dispute coming on for final hearing on Saturday,
the 6th day of November, 1976 upon perusing the reference.

claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru G. Balaram, Secretary of the Union and of Thiru P. Seshadri, Advocate, appearing for the Management and this dispute having stood over till this day for consideration this Tribunal made the following :—

AWARD

This is an Industrial Dispute between the Management of Food Corporation of India, Madras and its workmen relating to the dismissal of one Kannan, a Loading Mazdoor. This reference was made by the Government of India in its Order No. L-42012(39)/74-I.R. III/D.II(B), dated 4-12-1975 of the Ministry of Labour, and the issue referred for adjudication is as follows :

Whether the action of the management of the Food Corporation of India in dismissing Shri V. Kannan, Loading Mazdoor, from service with effect from 10-4-1974, was justified ? If not, to what relief is Shri V. Kannan entitled ?

2. The Transport and Dock Workers' Union (Madras) has filed a claim statement on behalf of the worker and it is briefly as follows . Thiru V. Kannan, a Loading Mazdoor in the employment of Food Corporation of India at Madras Port, is said to have assaulted the Dock Inspector Thiru K. Jeavarathinam on 11-12-1973 by throwing a loose bag containing wheat on him resulting in physical injury. The Management issued a show cause notice for the alleged misconduct and the worker submitted his explanation on 22-12-1973 denying the charge. According to the worker, a loose bag which was kept for loading was accidentally thrown on the Dock Inspector and therefore there was no misconduct. There was a domestic enquiry wherein witnesses have been examined; but the Enquiry Officer did not give full and fair opportunity to the worker and therefore the enquiry is vitiated. In any event, the punishment of dismissal is disproportionate to the misconduct complained of. Therefore, the worker should be reinstated in service with back wages from the date of dismissal on 10-4-1974.

3. The Food Corporation of India filed a counter statement as follows : The Dock Inspector of the Corporation was supervising the loading operations at the Harbour and the worker V. Kannan was on duty on 11-12-1973. The Inspector instructed the labourers to load only 'sound bags' into the lorry and rejected the half-stitched loose bags. The worker Kannan defied him and ignored the instructions of the Dock Inspector. The latter asked the worker in question to unload the loose half bags and this infuriated the worker who took up a loose bag and threw it at the Dock Inspector. Fortunately, the bag did not hit the Inspector, whereupon the worker again threw a second loose half bag with wheat on the Inspector and it hit him on his neck causing him injury and resulting in hospitalisation. After issuing a show cause notice, a domestic enquiry was constituted, wherein witnesses were examined on both sides. The Enquiry Officer found the worker guilty of misconduct and thereupon the Management dismissed the worker from service on 10-4-1974 as per the Standing Orders of the Corporation. The domestic enquiry was just and proper and there was no violation of the rules of natural justice. Every opportunity was given to the worker to defend himself and even after the enquiry, the Management gave a second notice calling upon him why the proposed punishment should not be inflicted on him. The worker has committed grave misconduct in assaulting a superior and therefore the punishment was justified.

4. Now, on these contentions, the point for consideration is whether the alleged misconduct on the part of the worker is proved beyond reasonable doubt. If this point is found in the affirmative, then it follows that the action of the Management in dismissing the worker is justified. This is purely a question of fact and the Management has examined two witnesses on its side. M.W. 1 is the injured person and he was the Dock Inspector (now Assistant Manager) of the Corporation on the date of occurrence on 11-12-1973. He has stated that his work was to supervise the loading of wheat bags into lorries with the help of a Maistry. According to M.W. 1, the worker in question Kannan was on duty loading the wheat bags at the site along with his co-workers. M.W. 1 says that he gave instructions to the loading workers including Kannan that they should load only 'sound bags' into the lorry and that they should not load the half-stitched or loose bags. ('sound bags'

mean well-stitched full bags). M.W. 1 was moving from place to place in the loading yard supervising the loading operations and he found that the Mazdoor Kannan and party had loaded loose bags also into the lorry. M.W. 1 says he asked Kannan to remove those loose bags from the lorry and unload them, but Mazdoor Kannan impertinently replied that they would not unload those loose bags and that the Dock Inspector should make his own arrangements to unload them through separate workers. M.W. 1 further adds that Kannan defied him and threw a loose bag at him with a view to assault him, but that it fell near the feet of the witness. M.W. 1 then moved a bit aside and the Mazdoor Kannan again threw another loose bag at him aiming it on his face. This second bag thrown by the Mazdoor hit the witness on his neck and he became unsteady, dazed and motionless. Then, M.W. 1 was taken to the Dock Office by M.W. 2 and after some first aid an Ambulance van was sent for and the injured witness M.W. 1 was taken to the Government Stanley Hospital, Madras, where he was admitted as an inpatient for five days till 15-12-1976 and had treatment. Thereafter he was discharged. Ex. M-1 is the Inpatient Ticket showing the date of admission and the date of discharge as also an injury on his neck. M.W. 1 finally stated that the throwing of the bag was not accidental and that it was an intentional assault.

5. The other witness to support this occurrence is M.W. 2 Thiru G. Thangaraj, who is an Assistant in the Food Corporation Office at the Harbour. He has corroborated the evidence of M.W. 1 in all material particulars. M.W. 2 has further stated that when M.W. 1, the Dock Inspector, directed the loading men including the Mazdoor in question to load only 'sound bags' into the lorry, those persons defied and told them "முட்டைகளை பொறுகின்றது கூத்து புட்ட முடியாது". He fur-

ther states that at that time, the worker Kannan impertinently questioned M.W. 1 and then threw a small bag at him which fell near the feet of M.W. 1. M.W. 2 then states that he interfered and advised Kannan thus :

"சொன்ன வேலையை ந் செய்யவேண்டியது தானே! அவர் மேல் முட்டையை அப்படி விச்வாஸா? அது சரியல்ல".

According to M.W. 2, despite the instructions of the Dock Inspector, Kannan and his party continued to stack 'un-sound bags', and when M.W. 1 pointed it out, Kannan threw another bag at M.W. 1 which hit him on his neck. According to M.W. 2, the second bag thrown at the M.W. 1 should be about 25 Kgs in weight and, on receipt of the hit, M.W. 1 reeled and staggered and laid himself down. This witness who had admittedly nothing against the worker has sworn that the assault was intentional and certainly not accidental. Now, this witness was examined at the domestic enquiry also and he has given the same evidence. Nothing worth mentioning was elicited in cross-examination to discredit this disinterested witness. Therefore, the evidence of M.Ws. 1 and 2 clearly establish that the worker assaulted the Dock Inspector by throwing two bags at his successively.

6. The evidence of these two witnesses is not a subsequent development and the essence of their evidence is set out in the first report Ex. M-2 laid by M.W. 1 on the very date of the occurrence. In other words, the present version is mentioned in detail in the earliest report Ex. M-2. Even the wordy exchanges between the Mazdoor and the Dock Inspector are specifically mentioned in Ex. M-2. The Medical Certificate Ex. M-1 fully corroborates the oral evidence of M.Ws. 1 and 2 and establishes that M.W. 1 was injured on his neck on account of the assault and that he was an In-patient in the Government Stanley Hospital for five days. Therefore, the Management has proved to the hilt that the worker Kannan assaulted the Dock Inspector when the latter directed him to discharge his duties according to instructions.

7. It is contended on behalf of the worker that M.W. 1 was injured accidentally and that he was not "assaulted" by the worker. This plea cannot stand in the face of the dis-interested testimony of M.Ws. 1 and 2 and other factors set out above. Of course the worker has given evidence as W.W. 1 and repeated that he did not assault the Dock Inspector and the injury was only an accident; but this version cannot be accepted in the face of the evidence M.Ws. 1

and 2 who have no axe to grind against this Mazdoor. Admittedly, the two Management witnesses had no enmity or ill-will towards the worker. The worker W.W.1 himself concedes the same. Therefore, there is absolutely no reason why an Officer and an Assistant in the Food Corporation of India should give false evidence against the worker. In fact the immediate conduct of W.W.1 soon after the accident bears eloquent testimony that the throwing of the bag was intentional and not accidental. If the bag thrown by W.W.1 accidentally fell on M.W. 1, then one would normally expect the worker to rush to the injured Officer and apologize to him then and there and he would have attended to his Master (M.W. 1) who was lying injured. On the other hand, this worker has brazenly stated in his evidence that he did not even notice whether the bag thrown by him fell on M.W. 1 or not. His evidence is this :

“அவர் மேல் விழுந்ததா இல்லையா என்பதை நான் கவனிக்கவில்லை. நான் அவருக்கு அடிபட்டதா இல்லையா என்பதையும் பார்க்கவில்லை. M.W.1-ஐ Ambulance van ல் ஏற்றிக் கொண்டு போனார்கள். அவரை Hospital உள்ளேநாயாளியாக அனுமதித்தார்களா இல்லையா என்று எனக்குத் தெரியாது”.

These answers clearly indicate that the worker was far from apologetic and was thoroughly indifferent towards the injured man. This is not ordinary conduct of any worker, if the incident had happened by some accident. Though he admits that an Ambulance Van was summoned and M.W. 1 was taken in that van, he did not even care to find out what had happened to him nor had the human courtesy to visit him in the hospital. These are all contra indications of the theory of the accidental throwing of the bag.

8. This conduct must be taken along with the admission of W.W. 1. Just prior to the incident, M.W. 1 ordered the workers not load the 'unsound bags' in to the lorry, and later, he ordered the loose bags to be unloaded. This appears to have irritated the worker Kannan who assaulted him in the manner stated above. It was elicited from W.W. 1 that these workers are paid flat wages of about Rs. 600/- per mensem by the Corporation, and what is more, if they load more than 60 tonnes of food grains into the lorry per day, they will be paid additional wages for the extra work. Therefore, it is to the advantage of the workers to dump as much as possible in the lorries so that they can get additional wages. In other words, the worker stands benefited by loading larger quantity and therefore they were not at all interested in loading only "sound bags" and rejecting the loose half-bags. It was in this context that when the Dock Inspector directed them to load only 'sound bags', this worker defied the orders and assaulted M.W. 1. The evidence of M.W. 1 is that the workers first ignored the directions of the Master when the latter asked him to load only the 'sound bags'. When the Dock Inspector came to the spot and gave them orders to unload the loose bags, the worker Kannan took the law into his own hands by throwing two bags at him one after another. This is not only gross indiscipline on the part of the Mazdoor, but misconduct of the worst type that can never be tolerated among the ranks. It is all the more grave when M.W. 2 intervened and advised the worker not to misbehave after he threw the first bag at M.W. 1 unsuccessfully. The result is I see no difficulty in holding that the assault at M.W. 1 was intentional and the worker had also plausible motive to assault him.

9. The Corporation conducted a domestic enquiry and the worker had every opportunity to defend himself. A show cause notice was given to explain his misconduct, and later in the enquiry, witnesses were examined in his presence. The worker did not even have the courage to cross-examine M.Ws. 1 and 2 at the domestic enquiry and he kept quite repeating his old story that it was only an accident. The Enquiry Officer gave the worker ample opportunity who also examined some defence witnesses. The evidence was rightly assessed and the Enquiry Officer found him guilty of misconduct. There is no violation of the rules of natural justice or any denial of any opportunity. The Management rightly accepted the findings of the Enquiry Officer and awarded the only punishment that could be given to an offence of this kind. I have assessed the evidence let in before me independently and I see no reason to come to a different conclusion. Ex. W-8 is the Standing Orders of the Food Corporation of India and Rule 23(3) deals with

misconduct. In the instant case, there was not only wilful disobedience of the lawful orders of the employer, but also assault on the Supervisory Staff of the Corporation. Therefore, the enquiry and the punishment are in accordance with the Standing Orders and, for all these reasons I hold that the action of the Management in dismissing the worker from service is fully justified.

10. Mr. G. Balaraman, Secretary of the Union argued that the Enquiry Officer wrongly directed the workman to examine his witnesses first. In other words, it is urged that the approach to the enquiry itself was wrong. I am unable to agree with this argument. The workmen admitted the occurrence, but pleaded that it was only an accident. It is more like an admission of the occurrence in a criminal case and pleading the right of private defence. When once the occurrence is admitted by the workman, he is bound to satisfy the Enquiry Officer or the Tribunal from the circumstances that it was only accidental and not intentional. In this view, the Enquiry Officer rightly directed the worker to adduce his evidence first. In any event, no prejudice has been caused to the worker since the burden of proof shifted to the worker to prove his plea that the occurrence took place by some accident. It may also be borne in mind that the worker never cross-examined these two eye witnesses before the Enquiry Officer. Their evidence was unchallenged.

11. It was then argued that the punishment of dismissal is disproportionate to the offence and that a nominal punishment would suffice. I do not agree. A cooly worker engaged in loading bags boldly attacked the Dock Inspector in broad day-light in the presence of a large number of co-workers at the work spot. Any leniency in the matter of punishment of such offences will result in gross indiscipline and will break down the morale of the employees of the Corporation. Therefore, the punishment meted out to the worker is just and proper.

12. It was lastly argued that the Management did not furnish to the workers a copy of the Enquiry Proceedings as also the copy of the findings of the Enquiry Officer. There is no force in this argument. It is not incumbent on an Enquiry Officer to give a copy of the entire Enquiry Proceedings to the delinquent during the course of an enquiry. In fact, the Management was very fair in giving a second notice to the worker indicating the proposed punishment. The worker had nothing more to add and no representation was made with reference to the proposed punishment.

13. The result is the action of the Management in dismissing the Loading Mazdoor Kannan from service with effect from 10-4-1974 is justified. Therefore, the worker is not entitled to any relief. An award is passed in these terms. No costs.

Dated, this 23rd day of November, 1976.

T. N. SINGARAVELU, Presiding Officer

WITNESSES EXAMINED

For worker :

W.W. 1—Thiru V. Kannan

For Management :

M.W. 1 Thiru K. Jeevarathnam, Dock Inspector,
Food Corporation of India

M.W. 2 Thiru G. Thangaraj.

DOCUMENTS MARKED

For worker

Ex. W-1/14-12-73—Show cause notice issued to W.W. 1.

Ex. W-2/22-12-73—Explanation of W.W. 1 to the F.C.I.

Ex. W-3/3-1-74—Enquiry notice issued to W.W. 1.

Ex. W-4/2-2-74—Memo issued to W.W. 1 asking him to submit reply as to why he should not be removed from service.

Ex. W-5/15-2-74—Reply to Ex. W-4.

Ex. W-6/25-2-74—Memo asking W.W. 1 to submit explanation as to why he should not be terminated from service.

Ex. W-7/10-4-74—Termination order issued to W.W. 1

Ex. W-8—Standing orders for workmen employed at Madras Harbour.

For Management :

Ex. M-1/13-12-73—O.P. Chit of the Stanley Hospital issued to M. W. 1.

Ex. M-2/11-12-73—Report of M.W. 2 about W.W. 1.

Note : Parties are directed to take return of their documents within six months from the date of the Award.

T. N. SINGARAVELU, Presiding Officer
[No. L-42012(39)/74-LR. III-D.II B]
HARBANS BAHDUR, Desk Officer

New Delhi, the 18th December, 1976

S.O. 135.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relations to the Central Public Works Department and their workman, which was received by the Central Government on the 14th December, 1976.

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL : DELHI

C.G.I.D. No. 53 of 1975

BETWEEN

The management of M/s. Central Public Works Department, Nirman Bhawan, New Delhi.

AND

Its workman Shri Lalji Rai, Sector VII/705, R. K. Puram, New Delhi.

Shri D. S. Adel for—the management.

Shri A. K. Srivastava with the workman in person.

AWARD

The Central Govt. on being satisfied that an industrial dispute existed between the aforesaid parties has referred the same for adjudication to this Tribunal by its Order No. L-42012/15/75-D.II-B, dated the 18th August, 1975 with the following terms of reference :—

"Whether the action of the management of the Central Public Works Department under the Engineer-in-chief New Delhi, in terminating the services of Shri Lalji Rai, a casual workman (Plumber) with effect from 3-9-74 is justified? If not, to what relief is the said workman entitled?"

2. The applicant averred that he had been working for the respondent since 2-10-67 as a plumber fitter and looked after maintenance of O. H. Tanks and Water Supply at R. K. Puram, New Delhi. His conduct and work had been satisfactory throughout his service period. On 29-8-74, his services were terminated. It was stated that he was given neither a charge-sheet nor a notice nor any opportunity to explain his position and defend himself. It was pleaded that the action of the management in refusing duties to the workman was arbitrary, illegal, unjustified and against the principles of natural justice. It was, therefore, prayed that he be reinstated with full back wages and continuity of service.

3. The management stated that the applicant was engaged on Muster Roll as a purely casual labour on the basis of 'as and when' required and as such the question of termination of his services did not arise. It was, therefore, prayed that the applicant was not entitled to any relief.

4. On these pleadings the following issue was framed :—

ISSUE :

1. As in the term of reference.

5. In oral evidence the management examined Shri G. P. Varshney, Asstt. Engineer—MW-1, Shri Moti Ram Gupta—

M.W. 2 and Shri P. S. Rao—MW3. In rebuttal the workman Shri Lalji Rai examined himself as WW1.

6. Arguments were, then, heard.

ISSUES NO : 1

7. The first question for determination under this issue would be whether the employment of the applicant, herein, was such as in which the question of termination of services did not arise, he being a purely causal labour on muster roll and 'as and when' required basis.

8. What the management meant by saying that the applicant was employed on muster roll on 'as and when' basis, was that the work for which he was employed finished and with it, his services too, came to an end.

9. Now, muster roll employees can be of two types. The first type is in which the work, itself, for which the worker is employed is for a specific duration. In such a case, the employment comes to an end as soon as the work finishes. The other type is in which the payment is made by showing the employees on a muster roll though the work for which they are employed goes on day after day or month after month, as the case may be. In such an employment, the nature of work being permanent, the employment does not come to an end with the end of the duration or anything else.

10. Here in this, the work for which the applicant was employed was not such as was for a specific period. It was of permanent nature. The services of the workman, therefore, could not come to an end nor could be called of the nature "as and when required". It is in the management's own evidence that the work for which the applicant had been engaged was still going on. Shri P. S. Rao, an Asstt. Engineer MW3 said in so many words that the job on which the workman was employed was going on still. The applicant is a plumber and the nature of his work is to maintain overhead tanks and repairs taps etc. in the Govt. quarters. It cannot be called a work of specific duration or temporary nature. In fact, it is of permanent character going on and on. It is true that the applicant was shown on a muster roll but I believe it was for the purposes of payments only. His services could not, therefore, come to an end in the nature services of those employees who were employed for specific work or specific duration ended.

11. It is, therefore, held that the work of the applicant was not on the "as and when required" basis and could not come to an end automatically.

12. The next question is whether there is any justification for termination of the services of the workman, herein. The management has, however, not been able to show any justification except that they were purely temporary and on muster roll.

13. As already observed above, the services of the applicant were not on the "as and when required" basis; therefore, in order to put an end to his services some justification had to be there and it should have been done in a legal way. None of these two requirements was present. There can be, therefore, no hesitation in saying that the termination was both illegal and unjustified.

14. The issue is, accordingly, decided against the management.

15. The result is that the workman Shri Lalji Rai is entitled to be re-instated with full back wages and continuity of service. The management is, accordingly, directed to reinstate him forthwith on the post which he held on the date of termination of services, pay him full wages at the rate at which he was paid last from the date of termination till he is actually re-instated and treat him continuous on duty ever since termination. An award is made accordingly.

[No. L-42012/15/75-D.II(B)]

27th November, 1976

D. D. GUPTA, Presiding Officer

S.O. 136.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1 Dhanbad in the industrial dispute between the employers in relations to the management of Messrs Futwah-Islampur Light Railway Company Limited and their workmen, which was received by the Central Government on the 14th December, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 34 of 1975

(Ministry's Order No. L-41011(3)/75-D. II(B), dated the 17-11-1975).

PARTIES :

Employers in relation to the management of Messrs Futwah-Islampur Light Railway Company Limited.

AND

Their workmen.

PRESENT :

Mr. Justice K. R. Srivastava (Retd.), Presiding Officer.

APPEARANCES :

For the Management : Shri Ranjit Kumar Das,
Advocate.

For the Workmen : Shri Jyoti Prakash,
General Secretary,
Bihar Martin Light Railway
Mazdoor Congress.

State : Bihar. Industry : Railway.

Dated, Camp : Patna, the 10th December, 1976

AWARD

The Central Government, in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Messrs Futwah-Islampur Light Railway Company Limited in suspending Sarvashri A. K. Verma and Khurshid Alam from service with effect from 1-7-1975, is justified? If not, to what relief are these workmen entitled?"

2. When this reference was taken up on December 7, 1976, the General Secretary, Bihar Martin Light Railway Mazdoor Congress filed an application for a no dispute award. The application mentions that the grievances of the Mazdoor Congress with regard to the suspension of A. K. Verma,

Ticket Collector, and Khurshid Alam, Assistant Electrical Fitter, have now come to an end because the suspension orders against them have since then been withdrawn. It further mentions that the unconditional apology tendered by the said two workmen will have no effect on their services and the Futwah-Islampur Light Railway Company will take no action against them with a view to maintain industrial peace and harmony. The application has been signed by Jyoti Prakash, General Secretary, on behalf of Bihar Martin Light Railway Mazdoor Congress and Shri Ranjit Kumar, Das, the learned advocate for the Futwah-Islampur Light Railway Company who has endorsed the application that the Railway Company has no objection to the withdrawal on the reference. The reference cannot be withdrawn but nevertheless when the union does not wish to proceed with it, my Award is that since the parties have mutually composed their differences, and the composition is fair and reasonable, no dispute is left in respect of which an Award can be given. A non-dispute award is, therefore, given. The application shall form part of the Award.

K. B. SRIVASTAVA, Presiding Officer

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. (1),
DHANBAD**

Reference No. 34 of 1975

PARTIES :

The Employers in relation to the management of Fatwa Islampur Light Railway Co. Ltd.

AND

Their workmen.

Regarding the persuasion of the case I want to submit the following facts for your kind consideration & favourable orders please :—

1. That the charges levelled against Shri A. K. Verma Ticket Collector and Khurshid Alam, Assistant Electrical Fitter for which they were suspended illegally and created dispute among worker and the management now have been finished and suspension notices of both the employees were withdrawn with this mutual understanding that any action taken by the management against the employees for which they were compelled for unconditional apology will not effect their carrier in their future services in any way.

2. That the management will stop any biased steps against these two employees in future with a view to maintain Industrial normalcy.

I, therefore, request your honour to drop the case with your favourable consideration.

No objection to withdrawal of this reference.

(Ranjit Kumar Das)
Advocate

for F. I. Light Railway Co. Ltd.

7-12-76

Yours faithfully,

7-12-76

JYOTI PRAKASH, General Secy.

Bihar Martins' Light Railway Mazdoor Congress, Arrah.

[No. L-41011(3)/75-D-II(B)]

HARBANS BAHADUR, Desk Officer

क्वालिटी नियंत्रण

आंदेश

नई दिल्ली, 8 जनवरी, 1977

का० आ० 137.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है कि मिट्टी की चमकदार टाइलों का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाए;

भीषं केन्द्रीय सरकार ने उक्त प्रयोग के लिए नीसे विनिर्दिष्ट प्रस्ताव बनाए है और उन्हे निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम 2 द्वारा अपेक्षित के अनुसार निर्यात निरीक्षण परियद् को भेज दिया है;

अतः अब, उक्त उप-नियम के अनुमत्ता में केन्द्रीय सरकार, भारत सरकार के भूगूण विवेश व्यापार संबंधीय की, मिट्टी की चमकदार टाइलों से संबंधित, अधिकृत व्यापार सं० का० 2333 तारीख 12 जून, 1969 को अधिकान्त करते हुए उक्त प्रस्तावों का उत्त सभी लोगों की जानकारी के लिए प्रकाशित करती है जिनके उससे प्रभावित होने की सम्भावना है,

2. सूचना दी जाती है कि उक्त प्रस्तावों के बारे में कोई आवेदन या सुमाद देने की वाला रखने वाला कोई भी व्यक्ति उन्हें इस आवेदन के राजपत्र में प्रकाशन की तारीख से पैतालीम दिन के भीतर निर्यात निरीक्षण परियद् “बल्ड ट्रैड सेट” 14/1-बी, गजरा स्ट्रीट (भाठधी मजिस), कलकत्ता-1 का भेज सकेगा।

प्रस्ताव

(1) अधिसूचित करना कि मिट्टी की चमकदार टाइले निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन होंगे;

(2) क्वालिटी नियंत्रण और निरीक्षण के प्रकार को इसके उपायध में दिए गए मिट्टी की चमकदार टाइलों के नियात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1974 के प्रारूप के अनुसार क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो कि निर्यात से पूर्व मिट्टी की चमकदार टाइलों पर लागू होगा;

(3) क्रेना तथा विक्रेना के बीच करार पाए गए के अनुसार विविद के विनिर्देशों को भाव्यता दिना,

(4) अन्तर्राष्ट्रीय व्यापार के दौरान मिट्टी की चमकदार टाइलों के नियात को तब तक प्रतिषिद्ध करना जब तक कि प्रत्येक परेषण के माध्य निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अन्तर्गत स्थापित अधिकरणों में से किसी एक द्वारा दिया गया इस बात का प्रभाण-पत्र न हो कि मिट्टी की चमकदार टाइलों का परेषण क्वालिटी नियंत्रण और निरीक्षण से संबंधित रूपों को पूरा करना है तथा निर्यात योग्य है।

3. हम आवेदन की कोई भी बात भावी क्रेनों को मिट्टी की चमकदार टाइलों के नमूनों के भू० वायू या समुद्रमार्ग द्वारा निर्यात पर लागू नहीं होगी।

आवेदन —इस आवेदन में “मिट्टी की चमकदार टाइलों से दीवारों, फर्शों पर या इसी प्रकार कहीं भी स्वच्छता एवं सजावट के प्रयोजन के लिए लगाने के लिए विभिन्न आकारों और परिमाणों की केवल एक और सफेद या रंगीन चमकदार या दानेदार चमक वाली सरध चीज़ी मिट्टी की दीवार टाइलें अभिप्रेत हैं।”

उपायध

(निर्यात क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) की धारा 17 के अन्तर्गत बनाए जाने वाले नियमों का प्रारूप)

1. सक्रिय नाम तथा प्रारंभ—इन नियमों का नाम मिट्टी की चमकदार टाइलों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1976 है।

(2) ये 8 जनवरी 1977 को प्रवृत्त होंगे।

2. परिभाषा—इन नियमों में जब तक कि संदर्भ में अन्यथा अपेक्षित न हो—

(क) “अधिनियम” में निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है;

(ख) “अभिकरण” में अधिनियम की धारा 7 के अन्तर्गत कोचीन, मद्रास, कलकत्ता, मुम्बई तथा दिल्ली में स्थापित अधिकरणों में से कोई अभिप्रेत है,

(ग) “मिट्टी” की चमकदार टाइलों से दीवारों, फर्शों पर या इसी की तरह कहीं भी स्वच्छता एवं सजावट के प्रयोजन के लिए लगाने के लिए विभिन्न आकारों और परिमाणों की केवल एक और सफेद या रंगीन चमकदार या दानेदार चमक वाली सरध चीज़ी मिट्टी की दीवार टाइले अभिप्रेत हैं।”

(घ) “अनुसूची” से इन नियमों से सलग अनुसूची अभिप्रेत है।

3. क्वालिटी नियंत्रण और निरीक्षण—

(1) निर्यात की जाने वाली मिट्टी की चमकदार टाइलों का क्वालिटी नियंत्रण विनिर्माता द्वारा उत्पाद के पैकिंग परिक्षण तथा विनिर्माण के विभिन्न स्तरों पर निम्न नियंत्रणों का प्रयोग करके सुनिश्चित किया जाएगा, अर्थात्—

(i) क्रय विनिर्देश तथा कच्चा माल नियंत्रण.

(क) क्रय विनिर्देश विनिर्माता द्वारा प्रयुक्त की जाने वाली सामग्री के गुण धर्मों को समाविष्ट करते हुए निर्धारित किए जाएंगे।

(ख) स्वीकृत परेषणों के साथ या तो क्रय विनिर्देशों की उपेक्षाओं की पुष्टि करते हुए प्रदायकर्ता का परख या निरीक्षण का प्रमाणपत्र होगा। ऐसी वस्त्र में क्रेना द्वारा विशिष्ट प्रदायकर्ता के लिए उक्त परख या निरीक्षण प्रमाण-पत्र की यथा तथ्यता सत्यापित करने के लिए 10 परेषणों में कम से कम एक बार कालिक जाल की जाएगी या खींची गई सामग्री का या तो कारखाने के भीतर प्रयोगशाला में या बाह्य प्रयोगशाला या परीक्षण गृह में नियमित रूप से परीक्षण और निरीक्षण किया जाएगा।

(ग) क्रिएट जाने वाले निरीक्षण या परख के लिए नमूने का लेखा केबिनेट किए गए अन्वेषणों पर आधारित होगा।

(घ) निरीक्षण या परीक्षण के पश्चात् स्वीकृत और अस्वीकृत माल को पृथक करने तथा प्रस्तीकृत माल के निपटान के लिए अवस्थित प्रतियां अपनाई जाएंगी।

(ङ) विनिर्माता द्वारा उक्त नियंत्रणों के बारे में पर्याप्त अभिलेख नियमित रूप से तथा अवस्थित स्पष्ट से रखे जाएंगे।

(ii) प्रक्रिया नियंत्रण—

(क) विनिर्माण की विभिन्न प्रक्रियाओं के लिए विनिर्माता द्वारा प्रक्रिया विनिर्देश निर्धारित किए जाएंगे।

- (क) प्रक्रिया विनिर्देशों में अधिकारित प्रक्रियाओं को नियंत्रित करने के लिए उपमुक्त एवं यंत्रों की पर्याप्त सुविधाएं होंगी।
- (ग) विनिर्माण द्वारा विनिर्माण की प्रक्रिया के दीर्घन किए गए नियंत्रणों के सत्यापन की संभावना सुनिश्चित करने के लिए पर्याप्त अभिलेख रखें जाएंगे।

(iii) उत्पाद नियंत्रण—

- (क) यह जांच पड़ताल करने के लिए कि क्या उत्पाद अधिनियम की धारा 6 के अधीन मान्य विनिर्देशों के अनुरूप हैं विनिर्माण के पास या तो स्वयं की परवत् सुविधाएं होंगी या उसके पहुंच अंत तक होंगी जहाँ ऐसी परवत् सुविधाएं विद्यमान हैं।
- (घ) निरीक्षण और परीक्षण के लिए नमूनों का लेखा अभिलेखित अन्वेषण पर आधारित होगा।
- (ग) नमूना लेखे तथा किए गए परीक्षण के बारे में पर्याप्त अभिलेख नियमित रूप से और व्यवस्थित रूप से रखें जायेंगे।
- (घ) उत्पाद की जांच पड़ताल करने के लिए नियंत्रण के न्यूनतम स्तरमान अनुसूची-1 में विनिश्चिट के अनुसार है।

(iv) परिरक्षण नियंत्रण

भांडारीकरण और अभिवहन दोनों के द्वारा उत्पाद अच्छी तरह से परिरक्षित किया जाएगा।

(v) पैकिंग नियंत्रण

उत्पादों की पैकिंग के लिए अनुसूची-2 में लिए गए नियंत्रणों को पूरा करने की दृष्टि से पैकिंग विनिर्देश अधिकारित किए जाएंगे।

(2) नियात की जाने वाली मिट्टी की चमकदार टाइलों का निरीक्षण यह सुनिश्चित करने की दृष्टि से किया जाएगा कि उपनियम (1) के अनुसार क्वालिटी नियंत्रण का मुसंगत स्तरों पर समाधानप्रद रूप से प्रयोग किया गया है और मिट्टी की चमकदार टाइलों द्वारा इस प्रयोजन के लिए मान्य विनिर्देशों के अनुरूप है।

4. निरीक्षण की प्रक्रिया—(1) मिट्टी की चमकदार टाइलों के नियात का इच्छुक नियात-कर्ता अपने ऐसा करने के आशय की सूचना स्थिर रूप में अभिकरण को देगा और ऐसी सूचना के साथ एक ऐसी धोषणा देगा कि मिट्टी की चमकदार टाइलों का परेषण नियम 3 में अधिकारित क्वालिटी नियंत्रण उपायों का प्रयोग करके विनिर्मित किया गया है या किया जा रहा है और परेषण इस प्रयोजन के लिए मान्य विनिर्देशों के अनुरूप है।

(2) नियात-कर्ता अभिकरण को परेषण पर लगाए गए पहचान चिह्न भी देगा।

(3) उपनियम (1) के अधीन प्रत्येक सूचना तथा धोषणा विनिर्माण के यहाँ से परेषण के बेजे जाने के कम से कम सात दिन पहले अभिकरण के कार्यालय में पहुंचना होगा।

(4) उपनियम (1) के अधीन सूचना तथा धोषणा प्राप्त होने पर, अभिकरण अपना इस प्रकार का समाधान कर सेने पर कि विनिर्माण की प्रक्रिया के दीर्घन नियम 3 में दिए गए पर्याप्त क्वालिटी नियंत्रणों का प्रयोग किया गया है, नियात निरीक्षण परिषद् द्वारा समर्यासमय पर जारी किए गए निर्देशों के अनुसार परेषण का निरीक्षण करेगा।

(5) यदि निरीक्षण के पारावात् अभिकरण ने अपना इस प्रकार का समाधान कर लिया है कि नियात किया जाने वाला मिट्टी की चमकदार टाइलों का परेषण नियम 3 की अपेक्षाओं के अनुरूप है तो वह उपनियम (4) के अधीन सूचना तथा धोषणा प्राप्त होने के सात दिनों के भीतर परेषण की नियात घोष्य घोषित करते हुए प्रभाण-पत्र दे देगा :

परन्तु जहाँ अभिकरण का इस प्रकार का समाधान नहीं हो तो वह उक्त सात दिन की अवधि के भीतर ऐसा प्रभाण-पत्र देने से इकार कर देगा तथा ऐसी इकारी की सूचना कारणों सहित नियात-कर्ता को देगा।

5. निरीक्षण का स्थान—इस नियमों के अधीन प्रत्येक निरीक्षण या तो—

(क) ऐसे उत्पादों के विनिर्माता के परिमर पर, या

(ख) उस परिसर पर किया जाएगा जहाँ नियात-कर्ता वारा माल प्रस्तुत किया जाता है, परन्तु यह तब जब वहाँ निरीक्षण की पर्याप्त सुविधाएं विद्यमान हों।

6. निरीक्षण फीस—प्रत्येक परेषण के लिए परेषण के पोत पर्यंत निःशुल्क मूल्य पर तीस पैसे की दर से प्रति सौ रुपा मूल्य निरीक्षण फीस नियात-कर्ता द्वारा अभिकरण को दी जाएगी। यह फीस कम से कम बीस रुपा होगी।

7. अपील—(1) नियम 4 के उप-नियम (5) के अधीन अभिकरण के द्वारा प्रभाण-पत्र देने से इकारी से अधिकतम कोई अविक्षिप्त ऐसी इकारी की सूचना प्राप्त होने के दृष्टि से भीतर केंद्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्त विशेषज्ञों के ऐसे वैनल को अपील कर सकेगा जिसमें कम से कम तीन किन्तु सात से अधिक अविक्षिप्त होंगे।

(2) ऐसे वैनल में विशेषज्ञों के वैनल की कुल सबस्थ संख्या के कम से कम दो निहाई गैर-न्यरकारी सबस्थ होंगे।

(3) वैनल की गणपूर्ति तीन सदस्यों की होगी।

(4) अपील प्राप्त होने के पन्द्रह दिन के भीतर निपटा दी जाएगी।

अनुसूची-1

[नियम 3(iii) (4) वेखिण]

उत्पादों के लिए नियंत्रण स्तर

क्रम सं.	प्रपेक्षाएं	संदर्भ	नमूनों की आवृत्ति	टिप्पणी
1.	फिनिश	—	2 प्रतिशत प्रति दैन	—
	(क) घराकार			
	(ख) दृष्टिगत दौष			
2.	भैंस चड़कना	— 0.5 प्रतिशत	प्रति दैन कोई भी नमूना नग + 0.4 मिली० से अधिक नहीं दिखाएगा।	
3.	जल शोषण	— 5 नग या 10 नग	प्रति दैन 18 प्रतिशत तक का उत्पादन के भीतर जल शोषण दिखाएंगे।	सभी नग 12 से
4.	तड़कन	— 5 नग या 10 नग	प्रति दैन या दो नगों से एक तड़कन अधिक नहीं। 0.25 कि० ग्राम० अधिकतम दबाव से० मी० पर तड़कन दिखाएगा।	
5.	आधात सहन शक्ति	— 5 नग या 10 नग	प्रति दैन सभी नग परव ग्रति दिन सहन करेंगे। का उत्पादन	

अनुच्छेदी—2

[नियम 3 (v) देखिए]

प्रक्रिया के लिए नियंत्रण स्तर

1. पैकेज देखने में सुन्दर होंगे और ये अभिवहन के दौरान उठाई-घराई महत्व करने योग्य होंगे।

2. पैकेजों में मिट्टी की चमकदार टाइलों को इस प्रकार पैक किया जाएगा कि उनका आपास से टकराव न हो।

3. प्रत्येक पैकेज पर निम्नलिखित सूचना सिखी जाएगी, अर्थात्—

(क) सामग्री का नाम।

(ख) विनिर्माता का नाम तथा आपार चिह्न, यदि कोई हो।

(ग) माल की मात्रा।

[मं. 6(5)/76/नि० नि० तथा नि० उ०]

के० श्री० बालमुख्यमंत्री, उप-नियंत्रक

MINISTRY OF COMMERCE

New Delhi, the 8th January, 1977

ORDER

S.O. 137.—Whereas, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the export trade of India that the glazed earthenware tiles shall be subject to quality control and inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government in supersession of the notification of the Government of India in the late Ministry of Foreign Trade and Supply No. S. C. 2333 dated the 12th June 1969 in so far as it relates to the glazed earthenware tiles, hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty-five days of the date of publication of this order in the Official Gazette to the date of publication Council, World Trade Centre, 14/1B, Ezra Street (7th floor), Calcutta-1.

PROPOSALS

- (1) to notify that the glazed earthenware tiles shall be subject to quality control and inspection prior to export;
- (2) to specify the type of quality control and inspection in accordance with the draft Export of Glazed Earthenware Tiles (Quality Control and Inspection) Rules 1976 set out in the Annexure hereto as the type of quality control and inspection which shall be applied to the glazed earthenware tiles prior to export;
- (3) to recognise the specifications of the contract as agreed upon between the buyer and the seller;
- (4) to prohibit the export in the course of international trade, of the glazed earthenware tiles, unless every consignment thereof is accompanied by a certificate issued by any of the agencies, established under section 7 of the Export (Quality Control and Inspection)

Act, 1963 (22 of 1963) to the effect that the consignment of the glazed earthenware tiles satisfies the conditions relating to quality control and inspection and is exportworthy.

3. Nothing in this Order shall apply to the export by land, sea or air, of samples of the glazed earthenware tiles to prospective buyers.

Explanation.—In this Order “glazed earthenware tile” means the ceramic wall tile of various shapes and sizes with porous body having white or coloured glossy or matt glaze on one side only meant for fixing on walls, floors and the like for sanitary or decorative purposes.

ANNEXURE

(Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963)).

1. **Short title and commencement**—These rules may be called the Export of Glazed Earthenware Tiles (Quality Control and Inspection) Rules, 1976

(2) They shall come into force on 8th January, 1977.

2. **Definition**—In these rules, unless the context otherwise requires,

(a) “Act” means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) “agency” means any one of the agencies, established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) “glazed earthenware tiles” means the ceramic wall tile of various shapes and sizes with porous body having white or coloured, glossy or matt glaze on one side only meant for fixing on walls, floors and the like for sanitary or decorative purposes;

(d) “Schedule” means a Schedule appended to these rules

3. **Quality Control and Inspection.**—(1) The quality control of the glazed earthenware tiles for export shall be ensured by the manufacturer by effecting the following controls at different stages of manufacture, preservation and packing of the product, set out namely :—

(i) **Purchase specifications and raw material control.**—

(a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of raw materials to be used.

(b) Either the accepted consignments shall be accompanied by a supplier's test and inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks shall be conducted at least once in 10 consignments by the purchaser for a particular supplier to verify the correctness of the aforesaid test or inspection certificates or the purchased material shall be regularly tested and inspected either in the laboratory within the factory or in an outside laboratory or test house.

(c) The sampling for inspection or test to be carried out shall be based on the recorded investigations.

(d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials and for disposal of the rejected materials.

(e) Adequate records in respect of the aforesaid controls shall be regularly and systematically maintained by the manufacturer.

(ii) **Process control**—

(a) Detailed process specification shall be laid down by the manufacturer for different processes of manufacture.

- (b) Equipment and instrumentation facilities shall be adequate to control the processes as laid down in the process specification.
- (c) Adequate records shall be maintained by the manufacturer to ensure the possibility of verifying the controls exercised during the process of manufacture.
- (iii) Product control—
- The manufacturer shall have either his own testing facilities or shall have access to such testing facilities existing elsewhere to check up whether the product conforms to specifications recognised under section 6 of the Act.
 - Sampling, test and inspection to be carried out shall be based on the recorded investigation.
 - Adequate records in respect of sampling and test carried out shall be regularly and systematically maintained.
 - The minimum levels of control to check the products shall be as specified in Schedule I.

(iv) Preservation Control—

The product shall be well preserved both during the storage and the transit.

(v) Packing control—

Packing specifications shall be laid down with a view to satisfying controls mentioned in Schedule II for packing of the products.

(2) The inspection of glazed earthenware tiles intended for export shall be carried out with a view to ensuring that the quality control in accordance with sub-rule (1) has been exercised at the relevant levels satisfactorily and the glazed earthenware tiles conform to the specifications recognised for the purpose.

4 Procedure of inspection—

(1) The exporter intending to export a consignment of glazed earthenware tiles shall give intimation in writing of his intention to do so to the agency and submit along with such intimation, a declaration that the consignment of glazed earthenware tiles has been or is being manufactured by exercising quality control measures laid down in rule 3 and that the consignment conforms to the requirements of the specifications recognised for the purpose.

(2) The exporter shall also furnish to the agency, the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (1) shall be so given as to reach the office of the agency not less than seven days prior to the despatch of the consignment from the manufacturer.

(4) On receipt of the intimation and declaration under sub-rule (1) the agency, after satisfying itself that during the process of manufacture, adequate quality control as provided in rule 3, has been exercised, shall carry out the inspection of the consignment in accordance with the instructions issued by the Export Inspection Council from time to time.

(5) If after inspection the agency is satisfied that the consignment of glazed earthenware tiles to be exported complies with the requirements of rule 3, it shall within seven days of the receipt of intimation and declaration under sub-rule (4), issue a certificate to the exporter declaring the consignment as exportworthy;

Provided that where the agency is not so satisfied, it shall within the said period of seven days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of inspection—Every inspection under these rules shall be carried out either—

- at the premises of the manufacturer of such products;
- or
- at the premises at which the goods are offered by the exporter provided adequate facilities for inspection exists therein.

6. Inspection fee.—Subject to a minimum of rupees twenty for each consignment, a fee, at the rate of thirty paise for every hundred rupees of f.o.b. value of each such consignment, shall be paid by the exporter to the agency as inspection fee.

7. Appeal.—(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (5) of rule 4, may within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons, appointed for the purpose by the Central Government.

(2) The panel shall consist of at least two-thirds of non-officials of the total membership of the panel of experts.

(3) the quorum for the panel shall be three.

(4) The appeal shall be disposed off within fifteen days of its receipt.

SCHEDULE I

[See rule 3, (iii) (d)]

Levels of Control for Products					
Sl. No.	Requirement	Ref-erence	Number of samples	Frequency	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	Finish				
	(a) Squareness	} 2% pieces	per batch	None of the samples should show more than 0.4 m.m.	..
	(b) Visual Defects				
2.	Warpage		0 5% pieces per batch		
3.	Water Absorption		5 pieces or 10 pieces per day production		All pieces should show water absorption within range of 12 to 18% ..
4.	Crazing		5 pieces or 10 pieces per day production	Per batch	Not more than one or two pieces, as the case may be, may show any crazing at 0.25 Kg. f.m/cm.
5.	Impact strength		5 pieces or 10 pieces per day production	per batch	All pieces should withstand the test.

SCHEDULE II

[See rule 3, (v)]

Levels of Control for packing

1. The package shall have a good presenability and sufficient strength to stand handling during transit.
2. The glazed earthenware tiles within the packages shall be so packed as to avoid collisions amongst them.
3. The following information shall be given on each package, namely:—

- (a) Name of the material.
- (b) Manufacturers' name trade mark, if any.
- (c) Quantity of the material.

[No. 6(5)/76/EI & EP]

K.V. Balasubramaniam, Dy. Director.

श्रम मंत्रालय

भारत

नई दिल्ली, 3 जनवरी, 1977

का० आ० 138.—केन्द्रीय सरकार की राय में समुदाय के जीवन के लिए आवश्यक प्रदाय और सेवाएँ बनाए रखने के लिए ऐसा करना आवश्यक और समीचीन है।

और नेवली लिग्नाइट कार्पोरेशन लिमिटेड, नेवली से संबंधित संकर्मों (जमता को विद्युत ऊर्जा के प्रदाय या ऐसे प्रकाय के प्रबोधन के लिए विद्युत ऊर्जा के उत्पादन, संचयन घायवा व्रेषण से संबंधित संकर्मों को

छोड़कर) में कोई हड्डताल समुदाय के जीवन के लिए आवश्यक प्रदाय और सेवाएँ बनाए रखने पर प्रतिकूल प्रभाव डालेगी, उक्त संकर्मों में हड्डताले रोकना आवश्यक और समीचीन है।

अतः, अब, भारत रक्षा और आन्तरिक सुरक्षा नियम, 1971 के नियम 118 द्वारा प्रकार शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त संकर्मों में किसी आंशोंगिक विवाद से संबंधित किसी हड्डताल को 11 जनवरी, 1977 से छः मास की अवधि के लिए प्रतिषिद्ध करती है।

[संख्या एम० 42011/5/76-डी० आई० ए०]
एम० के० नारायणन, डेस्क अधिकारी

MINISTRY OF LABOUR

ORDER

New Delhi, the 3rd January, 1977

S.O. 138.—Whereas in the opinion of the Central Government, it is necessary and expedient as to do for maintaining supplies and services essential to the life of the community;

And whereas any strike in the works (other than the works connected with the supply of electrical energy to the public or with the generation, storage or transmission of electrical energy for the purpose of such supply) connected with the Neyveli Lignite Corporation Limited, Neyveli, would prejudicially affect the maintenance of supplies and services essential to the life of the Community, it is necessary and expedient to prevent strikes in the said works ;

Now, therefore, in exercise of the powers conferred by rule 118 of the Defence and Internal Security of India Rules, 1971, the Central Government hereby prohibits, any strike in connection with any industrial dispute in the said works for a period of six months with effect from the 11th January, 1977.

[No. S. 42011/5/76/DI(A)]
L. K. NARAYANAN, Desk Officer